

CITY OF VALLEY CENTER

FINAL AGENDA

February 11, 2010

THE CITY COUNCIL SHALL HOLD ITS REGULAR MEETINGS IN THE COUNCIL CHAMBER IN THE CITY HALL, LOCATED AT 121 S. MERIDIAN, BEGINNING AT 7:00 P.M.

February 16, 2010

1. **CALL TO ORDER**
2. **ROLL CALL**
3. **INVOCATION: KEVIN BOGLE**
4. **PLEDGE OF ALLEGIANCE**
5. **APPROVAL OF AGENDA** p 3
6. **CLERKS AGENDA** p 4
 - A. Minutes p 5
 - B. Appropriation Ordinance p 10
 - C. Treasurer's Report January 2010 p 23
7. **PRESENTATIONS / PROCLAMATIONS** p 25
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 - A. Library Board December 2009 Minutes p 26
 - B. Site Plan Review Committee January 2010 Minutes p 27
10. **OLD BUSINESS** p 28
 - A. Ordinance No. 1193-10, 2nd Reading; Prohibiting Trash Burning within the City of Valley Center p 29
 - B. Fieldstone Traffic Presentation p 36
 1. (Continued from February 2, 2010 meeting) Option #3 p 37
11. **NEW BUSINESS** p 38
 - A. Sanitary Sewer Improvement, Valley Center Industrial Park, 2nd Addition p 38
 1. Resolution 569-10; Authorizing Proposed Sanitary Sewer Improvements p 39
 2. Design Contract with P.E. C. p 42
 - B. Consideration of Fire Truck Bed Bids p 59
 - C. Discussion of Rescue Boat p 62
 - D. Establish Council Workshop; Tuesday February 23, 2010 @ 7 P.M. to discuss Water & Sewer Rates p 64
 - E. Ordinance 1194-10; Planned Unit Development (PUD) Request p 65
12. **CONSENT AGENDA** p 76
 - A. Financial Summary January 2010 p 77
 - B. Fire Protection Agreements p 890
 - C. Report of Animal Shelter Usage p 97

- 13. STAFF REPORTS p 99**
- 14 GOVERNING BODY REPORTS p 107**
- 15. ADJOURN**

All items listed on this agenda are potential action items unless otherwise noted. The agenda may be modified or changed at the meeting without prior notice.

At anytime during the regular City Council meeting, the City Council may meet in executive session for consultation concerning several matters (real estate, litigation, not-elected personnel and security).

This is an open meeting, open to the public, subject to the Kansas Open Meetings Act (KOMA). The City of Valley Center is committed to providing reasonable accommodations for persons with disabilities upon request of the individual. Individuals with disabilities requiring an accommodation to attend the meeting should contact the City Clerk in a timely manner, at cityclerk@valleycenter-ks.org or by phone at (316)755-7310.

For Additional information on any item on the agenda, please visit www.valleycenter-ks.org or call (316) 755-7310.

APPROVAL OF AGENDA

RECOMMENDED ACTION:

Staff recommends motion to approve the agenda as presented / amended.

CLERK'S AGENDA

A. MINUTES:

Attached are the Minutes from the meeting of February 2, 2010 Special and Regular Council Meetings as prepared by the City Clerk.

RECOMMENDED ACTION:

Staff recommends motion to approve the February 2, 2010 Council Meeting Minutes as presented / amended

SPECIAL COUNCIL MEETING
FEBRUARY 2, 2010
CITY HALL
121 S. MERIDIAN

Council President L. Jackson called the meeting to order at 6:00 p.m. with the following members present: Kate Jackson, Marci Maschino, Cheryl Nordstedt, Bruce Campbell, Lou Cicirello, Harrison Gerling and Lionel Jackson. Mayor Michael McNown arrived at 6:10 and Councilmember Al Hobson arrived at 6:30.

Members absent: None

Staff Present: Joel Pile, City Administrator
 Kristine Polian, City Clerk
 Mike Kelsey, City Engineer

Press present: None

FUTURE LIBRARY SITE DISCUSSION

The Council met with the Library Board to jointly discuss possible Library sites.

Councilmember Cicirello presented the sites to the Council and Library Board. Stated there were originally 6 sites; then the Committee narrowed down the number of sites to 4. The Committee presented the 4 sites to P.E.C. who did a site study, and the number of sites was narrowed down to 2.

Cicirello moved, second by Maschino, to move into Executive Session for 30 minutes with the Library Board, City Administrator Pile and City Engineer Kelsey to discuss land acquisition. Vote yea: unanimous. Motion carried.

Cicirello reported that no action was taken while in Executive Session.

Meeting adjourned at 6:46.

REGULAR COUNCIL MEETING
FEBRUARY 2, 2010
CITY HALL
121 S. MERIDIAN

Mayor McNown called the meeting to order at 7:00 p.m. with the following members present: Kate Jackson, Marci Maschino, Cheryl Nordstedt, Bruce Campbell, Lou Cicirello, Harrison Gerling, Al Hobson and Lionel Jackson.

Members absent: None

Staff Present: Joel Pile, City Administrator
Kristine Polian, City Clerk
Richard Dunn, City Superintendent
Lonnie Tormey, Fire Chief
Mark Hephner, Police Chief
Neal Owings, Parks Superintendent
Eldon Miller, Community Development Officer
Mike Kelsey, City Engineer

Press present: The Ark Valley News

APPROVAL OF THE AGENDA

Mayor McNown stated that item B. under New Business would not be delayed as originally indicated on the Final Agenda.

Cicirello moved, second by Maschino, to approve the Agenda as amended. Vote yea: unanimous. Motion carried.

CLERK'S AGENDA

MINUTES- JANUARY 19, 2010

Maschino moved, second by K. Jackson, to approve the minutes of January 19, 2010 as presented. Vote yea: unanimous. Motion carried.

APPROPRIATION ORDINANCE- 02/02/10

Cicirello moved, second by Hobson, to approve Appropriation Ordinance No. 02/02/10 as presented. Vote yea: unanimous. Motion carried.

TREASURER'S REPORT- 2009 YEAR-END

Maschino moved, second by Cicirello, to receive and file the 2009 Year-End Treasurer's Report. Vote yea: unanimous. Motion carried.

PRESENTATION/ PROCLAMATIONSMETROPOLITAN TRANSPORTATION PLAN 2035 PRESENTATION

Kimberly Spielman and Christine Sondej from the Wichita Area Metropolitan Planning Organization presented information regarding the MTP Plan through 2035. They described projects that are in the proposed plan and asked Council to complete a survey by February 19th giving their opinions on the Plan.

COMMITTEES AND COMMISSIONSPLANNING COMMISSION/ SUBDIVISION COMMITTEE MINUTES

For Council Review

OLD BUSINESSFIELDSTONE TRAFFIC PRESENTATION

Councilmember Campbell stated he wanted to canvass the area to get a better idea of the residents' feelings of the "no parking" proposal for the street.

Residents that spoke on the issue:

Earl Wilder- 224 Fieldstone

Stephanie Wilder- 224 Fieldstone

Janet Normandin- 215 Fieldstone

Residents that spoke expressed concerns about a lack of parking and the potential excess speeds of drivers in the area due to no cars slowing their speed.

Councilmember Hobson asked if a fire truck can get down the street now.

Captain Tormey said a fire truck can get down the street but no other vehicles can get down the street if the fire truck is there.

Hobson moved, second by Cicirello, to delay action until next meeting to further evaluate the parking situation. Vote yea: K. Jackson, Maschino, Cicirello, Gerling, Hobson and L. Jackson. Opposed: Nordstedt and Campbell. Motion carried.

NEW BUSINESSCITY-SPONSORED CLEAN-UP

Councilmember L. Jackson stated he wants to delay action on the clean-up until after the Solid Waste Management Strategy Committee meets and makes a recommendation, since a clean-up may be able to be written into a franchise agreement.

L. Jackson moved, second by Campbell, to delay action until 1st meeting in March. Vote yea: K. Jackson, Nordstedt, Campbell, Cicirello, Hobson and L. Jackson. Opposed: Maschino and Gerling. Motion carried.

FORD STREET BRIDGE- SUPPLEMENTAL AGREEMENT REVISING P.E.C. SCOPE OF SERVICES

Cicirello moved, second by Maschino, to approve the Supplemental Agreement with P.E.C. revising the scope of services for the Ford Street Bridge. Vote yea: unanimous. Motion carried.

ORDINANCE 1193-10, TRASH BURNING- 1ST READING

Cicirello moved, second by Hobson, to adopt Ordinance 1193-10 prohibiting trash burning within the City of Valley Center, Kansas for 1st reading. Vote yea: unanimous. Motion carried.

CONSENT AGENDA

Nordstedt moved, second by Cicirello, to approve the Consent Agenda as presented. Vote yea: unanimous. Motion carried.

STAFF REPORTSFIRE CAPTAIN TORMEY

Stated the Fire Department has received a grant for pager in the amount of \$12,992.

CITY ENGINEER KELSEY

Said the high school sewer bids would take place February 3 and the Valley Creek Estates 2nd Addition bids will take place on February 24.

CITY ADMINISTRATOR PILE

Reminded Council of the Chat and Chili on February 6 that will include a motivational speaker at 6:00 p.m. Also asked the Council to set a tentative date of February 23rd for a work session on the water and sewer rates. Said the Rate Consultants would be at the work session to share their findings.

GOVERNING BODY REPORTSCOUNCILMEMBER NORDSTEDT

Asked Staff to provide her with an update of the Animal Shelter situation, since the City is no longer using the Valley Center Animal Shelter. Also asked if the expense for new aerial maps a few years ago was a beneficial expense.

City Engineer Kelsey stated that the expense was very beneficial, as the maps at that time provided a different perspective of the City. Said the maps were used for 3 years and new maps are now needed.

COUNCILMEMBER CAMPBELL

Said there is a Community Pancake Supper at the Methodist Church tomorrow night at 5:00 p.m... Also asked that Council drive on Fieldstone Street to get a better understanding of the problems that exist.

COUNCILMEMBER CICIRELLO

Asked if Staff would be providing the annual report on all tax abatements, as mandated, by the end of February.

Pile stated the report would be ready by the 1st meeting of March.

Asked Staff to provide a report and recommendations on the Emergency Snow Route within the City, as he believes implementation of the Route should be based on number of inches of snow, not by declaration by the City Administrator.

COUNCILMEMBER HOBSON

Said that given the recent event of someone falling into McLaughlin Park Pond, he believes the Fire Department should have some sort of rescue boat for situations such as this. Asked Staff to bring some information to Council to be considered.

L. Jackson moved, second by Cicirello, to adjourn the meeting.

Meeting adjourned at 8:19 p.m.

Kristine Polian, City Clerk

CLERK'S AGENDA

B. APPROPRIATION ORDINANCE:

Below is the proposed Appropriation Ordinance for February 16, 2010 as prepared by City Staff.

February 16, 2010 Appropriation

2009 Expenses	\$ 20,710.86
2010 Expenses	<u>\$ 434,700.08</u>
 Total	 \$ 455,410.94

RECOMMENDED ACTION:

Staff recommends motion to approve the February 16, 2010 Appropriation Ordinance as presented / amended.

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COUNCIL REPORT 2-16-10 MTG PKT

VENDOR NAME	DESCRIPTION	FUND	DEPARTMENT	AMOUNT
CITY OF WICHITA	DEC 14-31/09 CITY WA	WATER OPERATING	NON-DEPARTMENTAL	11,882.08
ELDON MILLER	DEC '10 MILEAGE REIM	GENERAL FUND	COMMUNITY DEVELOPMENT	348.65
HEINZ CONSTRUCTION	REPLACE SIDEWALK SECT	GENERAL FUND	PARKS AND PUBLIC GROUN	991.00
	REPLACE SIDEWALK SECT	GENERAL FUND	PUBLIC BUILDINGS	4,326.00
INTERLINGUAL SERVICES	NOV 11 '09 INTERPRET	GENERAL FUND	LEGAL & MUNICIPAL COUR	30.00
INTRUST BANK N.A.	--			
	FSA LC 9288	GENERAL FUND	NON-DEPARTMENTAL	9.59
	FSA KP 9302	GENERAL FUND	NON-DEPARTMENTAL	19.00
	FSA CS 9291	GENERAL FUND	NON-DEPARTMENTAL	44.00
	FSA KP 9302	GENERAL FUND	NON-DEPARTMENTAL	16.00
	FSA DS 9314	GENERAL FUND	NON-DEPARTMENTAL	7.09
	FSA 9301 CP	GENERAL FUND	NON-DEPARTMENTAL	280.00
	FSA 9301 CP	GENERAL FUND	NON-DEPARTMENTAL	17.00
	FSA 9291 CS	GENERAL FUND	NON-DEPARTMENTAL	25.00
	FSA 9277 MG	GENERAL FUND	NON-DEPARTMENTAL	1.76
	FSA 9315 LN	GENERAL FUND	NON-DEPARTMENTAL	2.18
	FSA 9291 CS	GENERAL FUND	NON-DEPARTMENTAL	25.00
	FSA 9302 KP	GENERAL FUND	NON-DEPARTMENTAL	1.61
	FSA 9291 CS	GENERAL FUND	NON-DEPARTMENTAL	96.04
	FSA 9314 DS	GENERAL FUND	NON-DEPARTMENTAL	15.91
	FSA TF 9281	SEWER OPERATING	NON-DEPARTMENTAL	8.00
	FSA 9281 TF	SEWER OPERATING	NON-DEPARTMENTAL	41.72
KANSAS GAS SERVICE	DEC '09 GAS SVCS	GENERAL FUND	COMMUNITY BUILDING	261.71
LKM - LEAGUE OF KANSAS MUNICIPALITIES				
	MLA-NUSIANCE ABATE T	GENERAL FUND	COMMUNITY DEVELOPMENT	75.00
	MLA-NUSIANCE ABATE T	GENERAL FUND	COMMUNITY DEVELOPMENT	75.00

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COUNCIL REPORT 2-16-10 MTG PKT

VENDOR NAME	DESCRIPTION	FUND	DEPARTMENT	AMOUNT
MANSFIELD OIL CO	DEC 22-31/09 FUEL PU	GENERAL FUND	COMMUNITY DEVELOPMENT	35.96
	DEC 22-31/09 FUEL PU	GENERAL FUND	POLICE	783.69
	DEC 22-31/09 FUEL PU	GENERAL FUND	FIRE	75.03
	DEC 22-31/09 FUEL PU	GENERAL FUND	PARKS AND PUBLIC GROUN	49.24
	DEC 22-31/09 FUEL PU	EQUIPMENT RESERVE	NON-DEPARTMENTAL	76.34
	DEC 22-31/09 FUEL PU	SEWER OPERATING	NON-DEPARTMENTAL	584.37
P E C	DEC 09 ENG RETAINER	GENERAL FUND	ADMINISTRATION	448.79
SEDGWICK COUNTY	DEC '09 SEDG CO COMP	GENERAL FUND	ADMINISTRATION	6.10
	DEC '09 SEDG CO COMP	GENERAL FUND	LEGAL & MUNICIPAL COUR	5.44
	DEC '09 SEDG CO COMP	GENERAL FUND	COMMUNITY DEVELOPMENT	3.00
	DEC '09 SEDG CO COMP	GENERAL FUND	POLICE	38.12
	DEC '09 SEDG CO COMP	GENERAL FUND	EMERGENCY COMMUNICATIO	5.44

===== FUND TOTALS =====

010 GENERAL FUND 8,118.35

127 EQUIPMENT RESERVE 76.34

610 WATER OPERATING 11,882.08

620 SEWER OPERATING 634.09

 GRAND TOTAL: 20,710.86

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COUNCIL REPORT 2-16-10 MTG PKT

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VENDOR NAME	DESCRIPTION	FUND	DEPARTMENT	AMOUNT_
A T & T	JAN 25 '10 PH/DATA S	GENERAL FUND	POLICE	73.52
	JAN 25 '10 PH/DATA S	GENERAL FUND	EMERGENCY COMMUNICATIO	147.04
	JAN 25 '10 PH/DATA S	GENERAL FUND	EMERGENCY COMMUNICATIO	73.52
	JAN 25 '10 PH/DATA S	WATER OPERATING	NON-DEPARTMENTAL	312.61
	JAN 25 '10 PH/DATA S	WATER OPERATING	NON-DEPARTMENTAL	295.13_
	TOTAL:			901.62
A T & T KANSAS	JAN 11 '10 DATA SVCS	GENERAL FUND	COMMUNITY BUILDING	65.00_
	TOTAL:			65.00
ADMIN PRO	JAN '10 FSA ADMIN SV	GENERAL FUND	ADMINISTRATION	434.50_
	TOTAL:			434.50
AFLAC	FEB '10 ACCIDENT PRE	GENERAL FUND	NON-DEPARTMENTAL	43.30
	FEB '10 ACCIDENT PRE	GENERAL FUND	NON-DEPARTMENTAL	32.20
	FEB '10 ACCIDENT PRE	GENERAL FUND	NON-DEPARTMENTAL	24.10
	FEB '10 DISABILITY	GENERAL FUND	NON-DEPARTMENTAL	39.40
	FEB '10 DISABILITY	GENERAL FUND	NON-DEPARTMENTAL	37.96
	FEB '10 CANCER PREM	GENERAL FUND	NON-DEPARTMENTAL	32.11
	FEB '10 ACCIDENT PRE	SPECIAL HIGHWAY	NON-DEPARTMENTAL	24.10
	FEB '10 CANCER PREM	SPECIAL HIGHWAY	NON-DEPARTMENTAL	22.70
	FEB '10 ACCIDENT PRE	WATER OPERATING	NON-DEPARTMENTAL	26.20_
	TOTAL:			282.07
ALL AMERICAN ADMINISTRATORS	JAN 2010 - LY00535726	GENERAL FUND	NON-DEPARTMENTAL	27.94
	JAN 2010 - LY0053573L	GENERAL FUND	NON-DEPARTMENTAL	27.94
	JAN 2010 - LY0054799L	GENERAL FUND	NON-DEPARTMENTAL	12.70
	JAN 2010 - LY0054783L	GENERAL FUND	NON-DEPARTMENTAL	12.70
	LY0053572L	GENERAL FUND	NON-DEPARTMENTAL	27.94
	LY00535736	GENERAL FUND	NON-DEPARTMENTAL	27.94
	LY0054799L	GENERAL FUND	NON-DEPARTMENTAL	12.70
	LY0054783L	GENERAL FUND	NON-DEPARTMENTAL	12.70_
	TOTAL:			162.56
ARK VALLEY NEWS	JAN '10 PUBLIC NOTIF	GENERAL FUND	ADMINISTRATION	157.44
	JAN '10 PUBLIC NOTIF	GENERAL FUND	ADMINISTRATION	48.64
	JAN '10 PUBLIC NOTIF	GENERAL FUND	ADMINISTRATION	67.84
	JAN '10 PUBLIC NOTIF	GENERAL FUND	COMMUNITY DEVELOPMENT	44.16
	JAN '10 PUBLIC NOTIF	GENERAL FUND	COMMUNITY DEVELOPMENT	40.32
	JAN '10 PUBLIC NOTIF	GENERAL FUND	COMMUNITY DEVELOPMENT	34.56
	JAN '10 PUBLIC NOTIF	GENERAL FUND	COMMUNITY DEVELOPMENT	32.64_
	TOTAL:			425.60
ASSESSMENT STRATEGIES.LLC	PROFESSIONAL SERVICE	GENERAL FUND	POLICE	150.00
	PROFESSIONAL SERVICE	GENERAL FUND	POLICE	35.00_
	TOTAL:			185.00
BEALL & MITCHELL LLC	CASE #086217	GENERAL FUND	LEGAL & MUNICIPAL COUR	150.00_
	TOTAL:			150.00
BOB KELLET INSURANCE AGENCY INC	COMM POLICY ADJUSTME	GENERAL FUND	POLICE	48.00
	COMM POLICY ADJUSTME	GENERAL FUND	POLICE	259.00
	COMM POLICY ADJUSTME	GENERAL FUND	FIRE	145.00_
	TOTAL:			452.00
CITY OF WICHITA	JAN 1-25/'10 CITY WA	WATER OPERATING	NON-DEPARTMENTAL	17,473.67

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COUNCIL REPORT 2-16-10 MTG PKT

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VENDOR NAME	DESCRIPTION	FUND	DEPARTMENT	AMOUNT_
			TOTAL:	17,473.67
CIVIC PLUS	JAN '10 EMAIL HOSTG/	GENERAL FUND	ADMINISTRATION	90.52
	FEB '10 FEE-EMAIL HO	GENERAL FUND	ADMINISTRATION	90.52
	JAN '10 EMAIL HOSTG/	GENERAL FUND	LEGAL & MUNICIPAL COUR	13.60
	FEB '10 FEE-EMAIL HO	GENERAL FUND	LEGAL & MUNICIPAL COUR	13.60
	JAN '10 EMAIL HOSTG/	GENERAL FUND	COMMUNITY DEVELOPMENT	8.92
	FEB '10 FEE-EMAIL HO	GENERAL FUND	COMMUNITY DEVELOPMENT	4.46
	JAN '10 EMAIL HOSTG/	GENERAL FUND	POLICE	90.52
	FEB '10 FEE-EMAIL HO	GENERAL FUND	POLICE	90.52
	JAN '10 EMAIL HOSTG/	GENERAL FUND	FIRE	131.75
	FEB '10 FEE-EMAIL HO	GENERAL FUND	FIRE	131.75
	JAN '10 EMAIL HOSTG/	GENERAL FUND	EMERGENCY COMMUNICATIO	40.80
	FEB '10 FEE-EMAIL HO	GENERAL FUND	EMERGENCY COMMUNICATIO	40.80
	JAN '10 EMAIL HOSTG/	GENERAL FUND	PARKS AND PUBLIC GROUN	13.60
	FEB '10 FEE-EMAIL HO	GENERAL FUND	PARKS AND PUBLIC GROUN	18.28
	FEB '10 FEE-EMAIL HO	GENERAL FUND	ENVIRONMENTAL SERVICES	4.46
	JAN '10 EMAIL HOSTG/	GENERAL FUND	PUBLIC BUILDINGS	4.68
	JAN '10 EMAIL HOSTG/	SPECIAL HIGHWAY	SPECIAL HIGHWAY	4.68
	FEB '10 FEE-EMAIL HO	SPECIAL HIGHWAY	SPECIAL HIGHWAY	4.68
	JAN '10 EMAIL HOSTG/	WATER OPERATING	NON-DEPARTMENTAL	21.25
	FEB '10 FEE-EMAIL HO	WATER OPERATING	NON-DEPARTMENTAL	21.25
	JAN '10 EMAIL HOSTG/	SEWER OPERATING	NON-DEPARTMENTAL	4.68
	FEB '10 FEE-EMAIL HO	SEWER OPERATING	NON-DEPARTMENTAL	4.68_
			TOTAL:	850.00
CNA SURETY	RENEW BOND-0601 7067	GENERAL FUND	ADMINISTRATION	240.00_
			TOTAL:	240.00
COX COMMUNICATIONS	AS OF JAN 27 '10 DAT	GENERAL FUND	ADMINISTRATION	40.06
	AS OF JAN 27 '10 DAT	GENERAL FUND	LEGAL & MUNICIPAL COUR	115.65
	AS OF JAN 27 '10 DAT	GENERAL FUND	LEGAL & MUNICIPAL COUR	16.80
	AS OF JAN 27 '10 DAT	GENERAL FUND	COMMUNITY DEVELOPMENT	19.30
	AS OF JAN 27 '10 DAT	GENERAL FUND	POLICE	16.80
	AS OF JAN 27 '10 DAT	GENERAL FUND	FIRE	16.80
	AS OF JAN 27 '10 DAT	GENERAL FUND	EMERGENCY COMMUNICATIO	16.80
	AS OF JAN 27 '10 DAT	GENERAL FUND	PARKS AND PUBLIC GROUN	19.98
	AS OF JAN 27 '10 DAT	GENERAL FUND	ENVIRONMENTAL SERVICES	16.80
	AS OF JAN 27 '10 DAT	SPECIAL HIGHWAY	SPECIAL HIGHWAY	20.00
	AS OF JAN 27 '10 DAT	SPECIAL HIGHWAY	SPECIAL HIGHWAY	19.98
	AS OF JAN 27 '10 DAT	SEWER OPERATING	NON-DEPARTMENTAL	19.99_
			TOTAL:	338.96
CULPEPPER & MERRIWEATHER CIRCUS	CITY EVENT-LIONS PAR	GENERAL FUND	ADMINISTRATION	290.00_
			TOTAL:	290.00
FOSTER & ASSOCIATES,	1/1-16/10 PLANNING S	GENERAL FUND	COMMUNITY DEVELOPMENT	1,146.55_
			TOTAL:	1,146.55
HAMPEL OIL DISTRIBUTORS	JAN 1-8 '10 DIESEL F	GENERAL FUND	FIRE	19.22
	JAN 8-22/10 FUEL PUR	GENERAL FUND	FIRE	46.14
	JAN 1-8 '10 DIESEL F	GENERAL FUND	PARKS AND PUBLIC GROUN	10.75
	JAN 8-22/10 FUEL PUR	GENERAL FUND	PARKS AND PUBLIC GROUN	8.08
	JAN 8-22/10 FUEL PUR	EQUIPMENT RESERVE	NON-DEPARTMENTAL	5,578.59
	JAN 1-8 '10 DIESEL F	EQUIPMENT RESERVE	NON-DEPARTMENTAL	2,175.06
	JAN 8-22/10 FUEL PUR	SPECIAL HIGHWAY	SPECIAL HIGHWAY	139.99

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COUNCIL REPORT 2-16-10 MTG PKT

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VENDOR NAME	DESCRIPTION	FUND	DEPARTMENT	AMOUNT_
	JAN 1-8 '10 DIESEL F	WATER OPERATING	NON-DEPARTMENTAL	120.20_
			TOTAL:	8,098.03
IMG LIFE INSURANCE & ANNUITY CO	1-15-10 BW DEDUCTION	GENERAL FUND	NON-DEPARTMENTAL	100.00_
			TOTAL:	100.00
INTERLINGUAL SERVICES	JAN 13 '10 COURT HRG	GENERAL FUND	LEGAL & MUNICIPAL COUR	45.00_
			TOTAL:	45.00
INTRUST BANK N.A.	12-31-09 SEC ADJ FEL	GENERAL FUND	NON-DEPARTMENTAL	74.00
	1-15-10 BW PAYROLL F	GENERAL FUND	NON-DEPARTMENTAL	3,479.75
	1-15-10 BW PAYROLL F	GENERAL FUND	NON-DEPARTMENTAL	3,248.24
	1-29-10 BW FED TAX W	GENERAL FUND	NON-DEPARTMENTAL	3,666.43
	1-29-10 BW FED TAX W	GENERAL FUND	NON-DEPARTMENTAL	3,390.23
	1-31-10 MONTHLY FED	GENERAL FUND	NON-DEPARTMENTAL	82.13
	1-31-10 MONTHLY FED	GENERAL FUND	NON-DEPARTMENTAL	271.28
	FSA 4968 JL	GENERAL FUND	NON-DEPARTMENTAL	21.25
	FSA 9288 LC	GENERAL FUND	NON-DEPARTMENTAL	104.00
	FSA 9310 NO	GENERAL FUND	NON-DEPARTMENTAL	25.00
	FSA 9301 CP	GENERAL FUND	NON-DEPARTMENTAL	57.00
	FSA 4975 TW	GENERAL FUND	NON-DEPARTMENTAL	25.00
	FSA 9285 DF	GENERAL FUND	NON-DEPARTMENTAL	624.00
	FSA 9288 LC	GENERAL FUND	NON-DEPARTMENTAL	4.00
	FSA 9277 MG	GENERAL FUND	NON-DEPARTMENTAL	23.24
	FSA 4968 JL	GENERAL FUND	NON-DEPARTMENTAL	40.00
	FSA 9288 LC	GENERAL FUND	NON-DEPARTMENTAL	7.00
	FSA 9315 LW	GENERAL FUND	NON-DEPARTMENTAL	37.82
	FSA 4968 JL	GENERAL FUND	NON-DEPARTMENTAL	40.00
	FSA 9315 LW	GENERAL FUND	NON-DEPARTMENTAL	155.00
	FSA 9302 KP	GENERAL FUND	NON-DEPARTMENTAL	20.14
	FSA 9314 DS	GENERAL FUND	NON-DEPARTMENTAL	4.09
	FSA 9301 CP	GENERAL FUND	NON-DEPARTMENTAL	26.04
	FSA 4971 LT	GENERAL FUND	NON-DEPARTMENTAL	25.00
	FSA 4975 TW	GENERAL FUND	NON-DEPARTMENTAL	20.00
	FSA 9312 MH	GENERAL FUND	NON-DEPARTMENTAL	3.91
	FSA 9304 MH	GENERAL FUND	NON-DEPARTMENTAL	11.00
	FSA 4968 JL	GENERAL FUND	NON-DEPARTMENTAL	25.00
	FSA 4971 LT	GENERAL FUND	NON-DEPARTMENTAL	24.00
	FSA 9277 MG	GENERAL FUND	NON-DEPARTMENTAL	13.43
	FSA 4968 JL	GENERAL FUND	NON-DEPARTMENTAL	40.00
	FSA 10.00 TW	GENERAL FUND	NON-DEPARTMENTAL	10.00
	FSA 9277 MG	GENERAL FUND	NON-DEPARTMENTAL	5.46
	FSA 9301 CP	GENERAL FUND	NON-DEPARTMENTAL	20.79
	FSA 9277 MG	GENERAL FUND	NON-DEPARTMENTAL	140.00
	FSA 4975 TW	GENERAL FUND	NON-DEPARTMENTAL	10.00
	12-31-09 SEC ADJ FED	EMPLOYEE BENEFITS	NON-DEPARTMENTAL	59.98
	12-31-09 SEC ADJ FED	EMPLOYEE BENEFITS	NON-DEPARTMENTAL	14.02
	1-15-10 BW PAYROLL F	EMPLOYEE BENEFITS	NON-DEPARTMENTAL	2,632.57
	1-15-10 BW PAYROLL F	EMPLOYEE BENEFITS	NON-DEPARTMENTAL	615.67
	1-29-10 BW FED TAX W	EMPLOYEE BENEFITS	NON-DEPARTMENTAL	2,747.64
	1-29-10 BW FED TAX W	EMPLOYEE BENEFITS	NON-DEPARTMENTAL	642.59
	1-31-10 MONTHLY FED	EMPLOYEE BENEFITS	NON-DEPARTMENTAL	219.82
	1-31-10 MONTHLY FED	EMPLOYEE BENEFITS	NON-DEPARTMENTAL	51.46
	1-15-10 BW PAYROLL F	SPECIAL HIGHWAY	NON-DEPARTMENTAL	500.54
	1-15-10 BW PAYROLL F	SPECIAL HIGHWAY	NON-DEPARTMENTAL	420.30
	1-29-10 BW FED TAX W	SPECIAL HIGHWAY	NON-DEPARTMENTAL	402.08

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VENDOR NAME	DESCRIPTION	FUND	DEPARTMENT	AMOUNT_
	1-29-10 BW FED TAX W	SPECIAL HIGHWAY	NON-DEPARTMENTAL	371.91
	FSA 9306 DR	SPECIAL HIGHWAY	NON-DEPARTMENTAL	8.47
	FSA 4539 JB	SPECIAL HIGHWAY	NON-DEPARTMENTAL	500.00
	FSA 9306 LR	SPECIAL HIGHWAY	NON-DEPARTMENTAL	32.04
	1-15-10 BW PAYROLL F	SPECIAL HIGHWAY	SPECIAL HIGHWAY	340.64
	1-15-10 BW PAYROLL F	SPECIAL HIGHWAY	SPECIAL HIGHWAY	79.66
	1-29-10 BW FED TAX W	SPECIAL HIGHWAY	SPECIAL HIGHWAY	301.42
	1-29-10 BW FED TAX W	SPECIAL HIGHWAY	SPECIAL HIGHWAY	70.49
	1-15-10 BW PAYROLL F	WATER OPERATING	NON-DEPARTMENTAL	592.80
	1-15-10 BW PAYROLL F	WATER OPERATING	NON-DEPARTMENTAL	672.60
	12-31-09 BW - LEE AD	WATER OPERATING	NON-DEPARTMENTAL	6.81
	1-29-10 BW FED TAX W	WATER OPERATING	NON-DEPARTMENTAL	803.59
	1-29-10 BW FED TAX W	WATER OPERATING	NON-DEPARTMENTAL	723.05
	FSA 4531 GG	WATER OPERATING	NON-DEPARTMENTAL	50.00
	FSA 9279 RJ	WATER OPERATING	NON-DEPARTMENTAL	20.00
	FSA 4531 GG	WATER OPERATING	NON-DEPARTMENTAL	7.00
	FSA 9292 AL	WATER OPERATING	NON-DEPARTMENTAL	21.00
	FSA 9292 AL	WATER OPERATING	NON-DEPARTMENTAL	25.00
	FSA 4531 GG	WATER OPERATING	NON-DEPARTMENTAL	8.80
	FSA 4531 GG	WATER OPERATING	NON-DEPARTMENTAL	12.48
	FSA 9279 RJ	WATER OPERATING	NON-DEPARTMENTAL	4.00
	FSA 4531 GG	WATER OPERATING	NON-DEPARTMENTAL	120.00
	FSA 4970 BS	WATER OPERATING	NON-DEPARTMENTAL	99.00
	FSA 9292 AL	WATER OPERATING	NON-DEPARTMENTAL	14.00
	FSA 4531 GG	WATER OPERATING	NON-DEPARTMENTAL	25.00
	FSA 4531 GG	WATER OPERATING	NON-DEPARTMENTAL	6.30
	FSA 65.00 GG	WATER OPERATING	NON-DEPARTMENTAL	65.00
	FSA 4531 GG	WATER OPERATING	NON-DEPARTMENTAL	9.86
	FSA 4531 GG	WATER OPERATING	NON-DEPARTMENTAL	38.97
	FSA 4531 GG	WATER OPERATING	NON-DEPARTMENTAL	19.50
	FSA 4531 GG	WATER OPERATING	NON-DEPARTMENTAL	7.87
	FSA 4970 BS	WATER OPERATING	NON-DEPARTMENTAL	74.00
	FSA 4531 GG	WATER OPERATING	NON-DEPARTMENTAL	14.10
	FSA 9292 AL	WATER OPERATING	NON-DEPARTMENTAL	39.50
	FSA 9279 RJ	WATER OPERATING	NON-DEPARTMENTAL	20.00
	FSA 9292 AL	WATER OPERATING	NON-DEPARTMENTAL	20.20
	FSA 4970 BS	WATER OPERATING	NON-DEPARTMENTAL	463.00
	FSA 4970 BS	WATER OPERATING	NON-DEPARTMENTAL	102.57
	1-15-10 BW PAYROLL F	WATER OPERATING	NON-DEPARTMENTAL	545.12
	1-15-10 BW PAYROLL F	WATER OPERATING	NON-DEPARTMENTAL	127.48
	12-31-09 BW - LEE AD	WATER OPERATING	NON-DEPARTMENTAL	5.52
	12-31-09 BW - LEE AD	WATER OPERATING	NON-DEPARTMENTAL	1.29
	1-29-10 BW FED TAX W	WATER OPERATING	NON-DEPARTMENTAL	586.00
	1-29-10 BW FED TAX W	WATER OPERATING	NON-DEPARTMENTAL	137.05
	1-15-10 BW PAYROLL F	SEWER OPERATING	NON-DEPARTMENTAL	285.23
	1-15-10 BW PAYROLL F	SEWER OPERATING	NON-DEPARTMENTAL	269.62
	1-29-10 BW FED TAX W	SEWER OPERATING	NON-DEPARTMENTAL	190.93
	1-29-10 BW FED TAX W	SEWER OPERATING	NON-DEPARTMENTAL	219.52
	FSA 9281 TF	SEWER OPERATING	NON-DEPARTMENTAL	158.28
	FSA 9281 TF	SEWER OPERATING	NON-DEPARTMENTAL	25.00
	FSA 9309 RE	SEWER OPERATING	NON-DEPARTMENTAL	27.00
	FSA 9309 RE	SEWER OPERATING	NON-DEPARTMENTAL	7.00
	FSA 9281 TF	SEWER OPERATING	NON-DEPARTMENTAL	40.00
	FSA 9281 TF	SEWER OPERATING	NON-DEPARTMENTAL	15.29
	FSA 9281 TF	SEWER OPERATING	NON-DEPARTMENTAL	176.00
	FSA 9281 TF	SEWER OPERATING	NON-DEPARTMENTAL	20.00

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VENDOR NAME	DESCRIPTION	FUND	DEPARTMENT	AMOUNT_
	FSA 9295 RE	SEWER OPERATING	NON-DEPARTMENTAL	40.00
	FSA 9281 TF	SEWER OPERATING	NON-DEPARTMENTAL	25.00
	FSA 85.00 RE	SEWER OPERATING	NON-DEPARTMENTAL	85.00
	FSA 9281 TF	SEWER OPERATING	NON-DEPARTMENTAL	52.40
	FSA 9309 RE	SEWER OPERATING	NON-DEPARTMENTAL	107.00
	1-15-10 BW PAYROLL F	SEWER OPERATING	NON-DEPARTMENTAL	218.51
	1-15-10 BW PAYROLL F	SEWER OPERATING	NON-DEPARTMENTAL	51.11
	1-29-10 BW FED TAX W	SEWER OPERATING	NON-DEPARTMENTAL	177.91
	1-29-10 BW FED TAX W	SEWER OPERATING	NON-DEPARTMENTAL	41.61_
			TOTAL:	33,506.40
INTRUST CARD CENTER	OFFICE SUPPLY CREDIT	GENERAL FUND	ADMINISTRATION	21.00-
	CLR ORIG CR - IN CORR YEAR	GENERAL FUND	ADMINISTRATION	21.00_
			TOTAL:	0.00
J. C. KIRK	REIMBURSE EMPLOYEE	GENERAL FUND	POLICE	47.82_
			TOTAL:	47.82
JACK HENRY & ASSOCIATES INC	2/1-6/30/10 REMIT PL	GENERAL FUND	ADMINISTRATION	250.71
	2/1-6/30/10 REMIT PL	WATER OPERATING	NON-DEPARTMENTAL	250.71
	2/1-6/30/10 REMIT PL	SEWER OPERATING	NON-DEPARTMENTAL	250.71_
			TOTAL:	752.13
KACM	KACM REG 5 - WINTER	GENERAL FUND	LEGAL & MUNICIPAL COUR	15.00_
			TOTAL:	15.00
KANSAS DEPT OF REVENUE	1-15-10 BW STATE TAX	GENERAL FUND	NON-DEPARTMENTAL	1,699.65
	1/29-31/-10 KS KW-5	GENERAL FUND	NON-DEPARTMENTAL	1,834.60
	1-15-10 BW STATE TAX	SPECIAL HIGHWAY	NON-DEPARTMENTAL	211.78
	1/29-31/-10 KS KW-5	SPECIAL HIGHWAY	NON-DEPARTMENTAL	172.85
	1-15-10 BW STATE TAX	WATER OPERATING	NON-DEPARTMENTAL	377.84
	1/29-31/-10 KS KW-5	WATER OPERATING	NON-DEPARTMENTAL	429.31
	JAN '10 SALES/EXCISE	WATER OPERATING	NON-DEPARTMENTAL	275.39
	1-15-10 BW STATE TAX	SEWER OPERATING	NON-DEPARTMENTAL	132.56
	1/29-31/-10 KS KW-5	SEWER OPERATING	NON-DEPARTMENTAL	92.71_
			TOTAL:	5,226.69
KANSAS MUNICIPAL JUDGES ASSN	ANNUAL CONF - 4/26-2	GENERAL FUND	LEGAL & MUNICIPAL COUR	25.00_
			TOTAL:	25.00
KANSAS OFFICE OF THE TREASURER	2008-1 GO TEMP NOTE	CAPITAL PROJECTS F	2008-1 TEMP NOTE	41,600.00
	2009-1 GO TEMP NOTE	CAPITAL PROJECTS F	2009-1 TEMP NOTE COI	1,821.25_
			TOTAL:	43,421.25
KANSAS PAYMENT CENTER	1-15-10 BW CS & GARN	GENERAL FUND	NON-DEPARTMENTAL	110.31
	1-15-10 BW CS & GARN	GENERAL FUND	NON-DEPARTMENTAL	224.00
	1-15-10 BW CS & GARN	GENERAL FUND	NON-DEPARTMENTAL	226.61
	1-29-10 BW DEDUCTION	GENERAL FUND	NON-DEPARTMENTAL	110.31
	1-29-10 BW DEDUCTION	GENERAL FUND	NON-DEPARTMENTAL	150.00
	1-29-10 BW DEDUCTION	GENERAL FUND	NON-DEPARTMENTAL	224.00
	1-29-10 BW DEDUCTION	GENERAL FUND	NON-DEPARTMENTAL	226.61
	1-15-10 BW CS & GARN	SPECIAL HIGHWAY	NON-DEPARTMENTAL	204.50
	1-29-10 BW DEDUCTION	SPECIAL HIGHWAY	NON-DEPARTMENTAL	204.50
	1-15-10 BW CS & GARN	WATER OPERATING	NON-DEPARTMENTAL	374.39
	1-29-10 BW DEDUCTION	WATER OPERATING	NON-DEPARTMENTAL	374.39_
			TOTAL:	2,429.62

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VENDOR NAME	DESCRIPTION	FUND	DEPARTMENT	AMOUNT_
KANSAS STATE ASSN OF FIRE CHIEFS	2010 ANNUAL DUES	GENERAL FUND	FIRE	20.00_
			TOTAL:	20.00
KDHE-BUREAU OF WATER	LOAN NO. 2174 FEES	WATER LOAN PRIN &	NON-DEPARTMENTAL	2,767.64
	LOAN NO. 2174 PRIN	WATER LOAN PRIN &	NON-DEPARTMENTAL	64,798.65
	LOAN NO. 2174 INTER	WATER LOAN PRIN &	NON-DEPARTMENTAL	29,574.26
	LOAN NO. 2406 FEES	07 WATER LOAN P &	INVALID DEPARTMENT	1,874.62
	LOAN NO. 2406 PRIN	07 WATER LOAN P &	INVALID DEPARTMENT	20,583.14
	LOAN NO. 2406 INTER	07 WATER LOAN P &	INVALID DEPARTMENT	17,514.41_
			TOTAL:	137,112.72
KMIT-KS MUNICIPAL INSURANCE TRUST	2010 PREMIUM-7710 FIRE	EMPLOYEE BENEFITS	NON-DEPARTMENTAL	5,143.45
	2010 PREMIUM-7711 VOL FI	EMPLOYEE BENEFITS	NON-DEPARTMENTAL	3,087.25
	2010 PREMIUM-7720 FD	EMPLOYEE BENEFITS	NON-DEPARTMENTAL	17,597.29
	2010 PREMIUM-8742 COLL	EMPLOYEE BENEFITS	NON-DEPARTMENTAL	456.02
	2010 PREMIUM-8810 ADMIN	EMPLOYEE BENEFITS	NON-DEPARTMENTAL	1,240.79
	2010 PREMIUM-8820 LEGAL	EMPLOYEE BENEFITS	NON-DEPARTMENTAL	95.45
	2010 PREMIUM-8831 VETERI	EMPLOYEE BENEFITS	NON-DEPARTMENTAL	1,055.79
	2010 PREMIUM-9015 BLDGS	EMPLOYEE BENEFITS	NON-DEPARTMENTAL	1,205.44
	2010 PREMIUM-9102 PARKS	EMPLOYEE BENEFITS	NON-DEPARTMENTAL	3,902.66
	2010 PREMIUM-5506 STS	SPECIAL HIGHWAY	SPECIAL HIGHWAY	10,061.82
	2010 PREMIUM-7520 WA	WATER OPERATING	NON-DEPARTMENTAL	4,888.92
	2010 PREMIUM-7580 SWR	SEWER OPERATING	NON-DEPARTMENTAL	2,115.12_
				TOTAL:	50,850.00
KPERs	12-31-09 BW DISBURSEMENT	GENERAL FUND	NON-DEPARTMENTAL	1,797.44
	1-15-10 BW PAYROLL D	GENERAL FUND	NON-DEPARTMENTAL	1,831.06
	12-31-09 SECURITY PA	GENERAL FUND	NON-DEPARTMENTAL	38.71
	12-31-09 BW EMPR BEN	EMPLOYEE BENEFITS	NON-DEPARTMENTAL	2,665.85
	1-15-10 BW PAYROLL D	EMPLOYEE BENEFITS	NON-DEPARTMENTAL	2,711.86
	1-15-10 BW PAYROLL D	EMPLOYEE BENEFITS	NON-DEPARTMENTAL	248.70
	12-31-09 SECURITY PA	EMPLOYEE BENEFITS	NON-DEPARTMENTAL	63.26
	12-31-09 BW DISBURSEMENT	SPECIAL HIGHWAY	NON-DEPARTMENTAL	270.12
	1-15-10 BW PAYROLL D	SPECIAL HIGHWAY	NON-DEPARTMENTAL	275.95
	12-31-09 BW EMPR BEN	SPECIAL HIGHWAY	SPECIAL HIGHWAY	368.05
	1-15-10 BW PAYROLL D	SPECIAL HIGHWAY	SPECIAL HIGHWAY	370.95
	1-15-10 BW PAYROLL D	SPECIAL HIGHWAY	SPECIAL HIGHWAY	33.95
	12-31-09 BW DISBURSEMENT	WATER OPERATING	NON-DEPARTMENTAL	326.98
	1-15-10 BW PAYROLL D	WATER OPERATING	NON-DEPARTMENTAL	346.20
	12-31-09 BW EMPR BEN	WATER OPERATING	NON-DEPARTMENTAL	523.80
	1-15-10 BW PAYROLL D	WATER OPERATING	NON-DEPARTMENTAL	555.26
	1-15-10 BW PAYROLL D	WATER OPERATING	NON-DEPARTMENTAL	50.88
	12-31-09 BW DISBURSEMENT	SEWER OPERATING	NON-DEPARTMENTAL	134.48
	1-15-10 BW PAYROLL D	SEWER OPERATING	NON-DEPARTMENTAL	149.05
	12-31-09 BW EMPR BEN	SEWER OPERATING	NON-DEPARTMENTAL	219.88
1-15-10 BW PAYROLL D	SEWER OPERATING	NON-DEPARTMENTAL	243.99	
1-15-10 BW PAYROLL D	SEWER OPERATING	NON-DEPARTMENTAL	22.29_	
			TOTAL:	13,248.71
LAURIE B. WILLIAMS	1-15-10 BW DEDUCTION	GENERAL FUND	NON-DEPARTMENTAL	55.00
	1-29-10 BW DEDUCTION	GENERAL FUND	NON-DEPARTMENTAL	55.00
	1-15-10 BW DEDUCTION	WATER OPERATING	NON-DEPARTMENTAL	273.04
	1-29-10 BW DEDUCTION	WATER OPERATING	NON-DEPARTMENTAL	273.04_
			TOTAL:	656.08
LKM - LEAGUE OF KANSAS MUNICIPALITIES	2010 MEMBERSHIP DUES	GENERAL FUND	ADMINISTRATION	2,496.56

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VENDOR NAME	DESCRIPTION	FUND	DEPARTMENT	AMOUNT_
	12-2010 KS GOVT JRNL SUBS	GENERAL FUND	ADMINISTRATION	180.00_
			TOTAL:	2,676.56
LOREN H. HOUK	CASE #085933	GENERAL FUND	LEGAL & MUNICIPAL COUR	250.00_
			TOTAL:	250.00
WANSFIELD OIL CO	JAN 1-28/10 FUEL PUR	GENERAL FUND	POLICE	1,804.30
	JAN 1-28/10 FUEL PUR	GENERAL FUND	FIRE	45.17
	JAN 1-28/10 FUEL PUR	GENERAL FUND	PARKS AND PUBLIC GROUH	140.52
	JAN 1-28/10 FUEL PUR	GENERAL FUND	ENVIRONMENTAL SERVICES	79.86
	JAN 1-28/10 FUEL-262	EQUIPMENT RESERVE	NON-DEPARTMENTAL	1,793.59
	JAN 1-28/10 FUEL PUR	WATER OPERATING	NON-DEPARTMENTAL	353.49
	JAN 1-28/10 FUEL PUR	SEWER OPERATING	NON-DEPARTMENTAL	580.20_
			TOTAL:	4,797.13
P S I	DISCUSSION-NEW SRVR	GENERAL FUND	ADMINISTRATION	222.08
	DOWNLD 'TREND'	GENERAL FUND	ADMINISTRATION	32.50
	CONNECT WIRELESS	GENERAL FUND	COMMUNITY DEVELOPMENT	32.50
	PASSWORD CHNG	GENERAL FUND	EMERGENCY COMMUNICATIO	32.50
	UPDATES; MVG WA STA	WATER OPERATING	NON-DEPARTMENTAL	400.84
	RESCHEDULE	WATER OPERATING	NON-DEPARTMENTAL	32.50
	MVRS TO SERVER	WATER OPERATING	NON-DEPARTMENTAL	222.08_
			TOTAL:	975.00
PAINE LAW FIRM, LCC	CASE# 090082	GENERAL FUND	LEGAL & MUNICIPAL COUR	150.00
	CASE #090112	GENERAL FUND	LEGAL & MUNICIPAL COUR	150.00_
			TOTAL:	300.00
PETTY CASH	JAN 10 REIMBURSEMENT	GENERAL FUND	POLICE	8.18
	JAN 10 REIMBURSEMENT	GENERAL FUND	POLICE	13.29_
			TOTAL:	21.47
PREFERRED PLUS OF KANSAS	JAN 2010 HEALTH INSUR PR	EMPLOYEE BENEFITS	NON-DEPARTMENTAL	26,442.78
	JAN '10 - ADD'L PREM	EMPLOYEE BENEFITS	NON-DEPARTMENTAL	1,921.78
	ADD'L JAN '10 PREMIU	EMPLOYEE BENEFITS	NON-DEPARTMENTAL	3,015.39
	FEB '10 HEALTH PREMI	EMPLOYEE BENEFITS	NON-DEPARTMENTAL	31,648.61
	FEB '10 DENTAL PREMI	EMPLOYEE BENEFITS	NON-DEPARTMENTAL	3,843.56
	JAN 2010 HEALTH INSUR PR	SPECIAL HIGHWAY	SPECIAL HIGHWAY	3,487.74
	JAN '10 - ADD'L PREM	SPECIAL HIGHWAY	SPECIAL HIGHWAY	180.69
	ADD'L JAN '10 PREMIU	SPECIAL HIGHWAY	SPECIAL HIGHWAY	242.00
	FEB '10 HEALTH PREMI	SPECIAL HIGHWAY	SPECIAL HIGHWAY	2,708.75
	FEB '10 DENTAL PREMI	SPECIAL HIGHWAY	SPECIAL HIGHWAY	310.04
	JAN 2010 HEALTH INSUR PR	WATER OPERATING	NON-DEPARTMENTAL	3,362.59
	JAN '10 - ADD'L PREM	WATER OPERATING	NON-DEPARTMENTAL	216.12
	ADD'L JAN '10 PREMIU	WATER OPERATING	NON-DEPARTMENTAL	366.28
	FEB '10 HEALTH PREMI	WATER OPERATING	NON-DEPARTMENTAL	3,728.87
	FEB '10 DENTAL PREMI	WATER OPERATING	NON-DEPARTMENTAL	432.24
	JAN 2010 HEALTH INSUR PR	SEWER OPERATING	NON-DEPARTMENTAL	3,239.83
	JAN '10 - ADD'L PREM	SEWER OPERATING	NON-DEPARTMENTAL	224.18
	ADD'L JAN '10 PREMIU	SEWER OPERATING	NON-DEPARTMENTAL	333.00
	FEB '10 HEALTH PREMI	SEWER OPERATING	NON-DEPARTMENTAL	3,572.83
	FEB '10 DENTAL PREMI	SEWER OPERATING	NON-DEPARTMENTAL	448.36_
			TOTAL:	89,725.64
R.E. PEDROTTI CO. INC.	WWTP LABOR & MAINT	SEWER SURPLUS RESE	NON-DEPARTMENTAL	2,090.60_
			TOTAL:	2,090.60

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VENDOR NAME	DESCRIPTION	FUND	DEPARTMENT	AMOUNT_
RFC - RAFTELIS FINANCIAL CONSULTANTS	WATER PORTION	WATER SURPLUS RESE	NON-DEPARTMENTAL	4,473.71
	SEWER PORTION	SEWER SURPLUS RESE	NON-DEPARTMENTAL	4,473.71_
		TOTAL:		8,947.42
RICHARD L DICKSON	CASE# 090033 ATTY SV	GENERAL FUND	LEGAL & MUNICIPAL COUR	150.00_
			TOTAL:	150.00
SAFETY SOLUTIONS OF KANSAS	SCBA FUNCTION TEST	GENERAL FUND	FIRE	1,045.00_
			TOTAL:	1,045.00
SECURITY BENEFIT	1-15-10 BW DEDUCTION	GENERAL FUND	NON-DEPARTMENTAL	25.00
	1-15-10 BW DEDUCTION	GENERAL FUND	NON-DEPARTMENTAL	25.00
	1-15-10 BW DEDUCTION	GENERAL FUND	NON-DEPARTMENTAL	25.00
	1-29-10 BW DEDUCTION	GENERAL FUND	NON-DEPARTMENTAL	25.00
	1-29-10 BW DEDUCTION	GENERAL FUND	NON-DEPARTMENTAL	25.00
	1-29-10 BW DEDUCTION	GENERAL FUND	NON-DEPARTMENTAL	25.00_
		TOTAL:		150.00
SEDGWICK COUNTY	2010 MEMBERSHIP DUES	GENERAL FUND	ADMINISTRATION	100.00
	EASEMENT RECORD-ADD'	CAPITAL PROJECTS F	VC High Sch Sewer Imp	59.50
	EASEMENT RECORDING	CAPITAL PROJECTS F	VC High Sch Sewer Imp	108.00_
		TOTAL:		267.50
THE SIGN SHOP	4 ALUM POND/PARK SIG	GENERAL FUND	PARKS AND PUBLIC GROU	140.00_
			TOTAL:	140.00
TYLER TECHNOLOGIES INC - INCODE DIVISI	WEB PUBLISHING FEE	GENERAL FUND	ADMINISTRATION	25.00
	MONTHLY WEB PUBLISHI	GENERAL FUND	ADMINISTRATION	25.00
	ANNUAL SOFTWR MAINT	GENERAL FUND	ADMINISTRATION	453.00
	UTILITY BILLING COMP	WATER OPERATING	NON-DEPARTMENTAL	80.00
	UTILITY PAYMENT	WATER OPERATING	NON-DEPARTMENTAL	525.00
	UTILITY ON-LINE	WATER OPERATING	NON-DEPARTMENTAL	40.00
	UTILITY ON-LINE	SEWER OPERATING	NON-DEPARTMENTAL	40.00_
		TOTAL:		1,188.00
VALLEY CENTER CHAMBER OF COMMERCE	2010 CHAMBER MEMBERSHI	GENERAL FUND	ADMINISTRATION	150.00
	FEB 6 CHAT & CHILI T	GENERAL FUND	ADMINISTRATION	50.00
	FEB 6 CHAT & CHILI T	GENERAL FUND	ADMINISTRATION	50.00_
		TOTAL:		250.00
VANTAGEPOINT TRANS AGENTS	1-15-09 BW ICMA DEDU	GENERAL FUND	NON-DEPARTMENTAL	150.00
	1-15-09 BW ICMA DEDU	GENERAL FUND	NON-DEPARTMENTAL	10.00
	1-15-09 BW ICMA DEDU	GENERAL FUND	NON-DEPARTMENTAL	50.00
	1-15-09 BW ICMA DEDU	GENERAL FUND	NON-DEPARTMENTAL	25.00
	1-29-10 BW DEDUCTION	GENERAL FUND	NON-DEPARTMENTAL	150.00
	1-29-10 BW DEDUCTION	GENERAL FUND	NON-DEPARTMENTAL	10.00
	1-29-10 BW DEDUCTION	GENERAL FUND	NON-DEPARTMENTAL	50.00
	1-29-10 BW DEDUCTION	GENERAL FUND	NON-DEPARTMENTAL	25.00
	1-15-09 BW ICMA DEDU	WATER OPERATING	NON-DEPARTMENTAL	90.00
	1-29-10 BW DEDUCTION	WATER OPERATING	NON-DEPARTMENTAL	90.00_
		TOTAL:		650.00
	VERIZON WIRELESS	DEC 23-JAN 22 WIRELE	GENERAL FUND	ADMINISTRATION	66.90
DEC 23-JAN 22 WIRELE		GENERAL FUND	ADMINISTRATION	66.90
DEC 23-JAN 22 WIRELE		GENERAL FUND	COMMUNITY DEVELOPMENT	66.91_
		TOTAL:		200.71

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VENDOR NAME	DESCRIPTION	FUND	DEPARTMENT	AMOUNT_
VERLIN A. INGRAM	CASE #090658T	GENERAL FUND	LEGAL & MUNICIPAL COUR	150.00
	CASE #090331C	GENERAL FUND	LEGAL & MUNICIPAL COUR	150.00
	CASE #090534C 09-680	GENERAL FUND	LEGAL & MUNICIPAL COUR	150.00
	CASE #090434C 09-535	GENERAL FUND	LEGAL & MUNICIPAL COUR	150.00
	CASE # DKT# 09-556	GENERAL FUND	LEGAL & MUNICIPAL COUR	150.00
	CASE # DKT #09-630	GENERAL FUND	LEGAL & MUNICIPAL COUR	150.00
	CASE #090547C 09-699	GENERAL FUND	LEGAL & MUNICIPAL COUR	150.00_
			TOTAL:	1,050.00

WASTE MANAGEMENT OF WICHI	JAN 2009 CITY TRASH-ADMIN	GENERAL FUND	ADMINISTRATION	52.62
	FEB '10 CITY TRASH S	GENERAL FUND	ADMINISTRATION	66.81
	JAN 2009 CITY TRASH-LEGAL	GENERAL FUND	LEGAL & MUNICIPAL COUR	4.67
	FEB '10 CITY TRASH S	GENERAL FUND	LEGAL & MUNICIPAL COUR	18.68
	JAN 2009 CITY TRASH-PD	GENERAL FUND	POLICE	4.68
	FEB '10 CITY TRASH S	GENERAL FUND	POLICE	18.68
	JAN 2009 CITY TRASH-FIRE	GENERAL FUND	FIRE	4.67
	FEB '10 CITY TRASH S	GENERAL FUND	FIRE	18.68
	JAN 2009 CITY TRASH-EC	GENERAL FUND	EMERGENCY COMMUNICATIO	4.68
	FEB '10 CITY TRASH S	GENERAL FUND	EMERGENCY COMMUNICATIO	18.68
	JAN 2009 CITY TRASH-CB	GENERAL FUND	COMMUNITY BUILDING	70.44
	FEB '10 CITY TRASH S	GENERAL FUND	COMMUNITY BUILDING	84.75
	JAN 2009 CITY TRASH-STS	SPECIAL HIGHWAY	SPECIAL HIGHWAY	28.47
	FEB '10 CITY TRASH S	SPECIAL HIGHWAY	SPECIAL HIGHWAY	42.58
	JAN 2009 CITY TRASH-WA	WATER OPERATING	NON-DEPARTMENTAL	28.47
	FEB '10 CITY TRASH S	WATER OPERATING	NON-DEPARTMENTAL	42.58
	JAN 2009 CITY TRASH-SWR	SEWER OPERATING	NON-DEPARTMENTAL	159.12
	FEB '10 CITY TRASH S	SEWER OPERATING	NON-DEPARTMENTAL	173.81_
			TOTAL:	843.07

WESTAR ENERGY	115 N PARK AVE	GENERAL FUND	ADMINISTRATION	19.04
	116 N PARK AVE	GENERAL FUND	ADMINISTRATION	10.76_
			TOTAL:	29.80

----- FUND TOTALS -----

010	GENERAL FUND	40,161.39
110	EMPLOYEE BENEFITS	113,329.68
127	EQUIPMENT RESERVE	9,547.24
150	SPECIAL HIGHWAY	22,438.42
350	CAPITAL PROJECTS FUND	43,588.75
610	WATER OPERATING	43,089.98
616	WATER LOAN PRIN & INT	97,140.55
617	07 WATER LOAN P & I	39,972.17
619	WATER SURPLUS RESERVE	4,473.71
620	SEWER OPERATING	14,393.88
628	SEWER SURPLUS RESERVE	6,564.31

	GRAND TOTAL:	434,700.08

02-09-2010 03:55 PM

COUNCIL REPORT 2-16-10 MTG PKT

PAGE: 10

SELECTION CRITERIA

SELECTION OPTIONS

VENDOR SET: 01-CITY OF VALLEY CENTER
VENDOR: All
CLASSIFICATION: All
ITEM DATE: 0/00/0000 THRU 99/99/9999
ITEM AMOUNT: 9,999,999.00CK THRU 9,999,999.00
GL POST DATE: 1/01/2010 THRU 2/09/2010
CHECK DATE: 0/00/0000 THRU 99/99/9999
INCLUDE REFUNDS: YES
INCLUDE OPEN ITEM:NO

PAYROLL SELECTION

PAYROLL EXPENSES: NO
CHECK DATE: 0/00/0000 THRU 99/99/9999

PRINT OPTIONS

PRINT DATE: None
SEQUENCE: By Vendor Name
DESCRIPTION: Distribution
GL ACCTS: NO
REPORT TITLE: COUNCIL REPORT 2-16-10 MTG PKT
SIGNATURE LINES: 0

CLERK'S AGENDA

C. TREASURER'S REPORT, JANUARY 2010:

RECOMMENDED ACTION:

Staff recommends motion to receive and file the January 2010 Treasurer's Report.

CITY OF VALLEY CENTER
 PERIOD CASH FLOW REPORT
 AS OF: JANUARY 31ST, 2010

FUND	BEGINNING CASH BALANCE	RECEIVABLES & NET ASSETS	PERIOD REVENUES	PAYABLES & NET LIABILITIES	PERIOD EXPENDITURES	ENDING CASH BALANCE	Y-T-D ENCUMBRANCE	UNENCUMBERED CASH BALANCE
GENERAL FUND	224,152.82	0.00	564,212.37 (	2,025.90)	98,902.08	691,489.01	5,659.79	685,829.22
EMPLOYEE BENEFITS	9,231.95	0.00	270,927.39	0.00	74,822.12	205,337.22	0.00	205,337.22
FLEXIBLE SPENDING ACCT	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
FIRE VEHICLE REPLACEMENT	640.30	0.00	0.00	0.00	0.00	640.30	0.00	640.30
BUILDING EQUIP RESERVE	111,177.90	0.00	0.00	0.00	0.00	111,177.90	0.00	111,177.90
EQUIPMENT RESERVE	217,519.56	0.00	41,949.96	3,800.83	2,175.06	253,493.63	0.00	253,493.63
PUBLIC WORKS BUILDING	8,627.24	0.00	0.00	0.00	0.00	8,627.24	0.00	8,627.24
LIBRARY	16,457.48	0.00	104,569.54	0.00	0.00	121,027.02	0.00	121,027.02
SPECIAL HIGHWAY	222,768.63	0.00	81,489.28 (	320.20)	26,100.26	278,477.85	0.00	278,477.85
EMERG EQUIPMENT RESERVE	69,620.36	0.00	23,229.34	0.00	0.00	92,849.70	0.00	92,849.70
PAYROLL CLEARING FUND	37.62	0.00	0.00	0.00	0.00	37.62	0.00	37.62
ACTIVE AGING GRANT	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
PARK BEAUTIFICATION	2,085.30	0.00	0.00	0.00	0.00	2,085.30	0.00	2,085.30
BUSINESS IMPROVEMENT DIST	1,143.50	0.00	0.00	0.00	0.00	1,143.50	0.00	1,143.50
D.A.R.E.	1,114.01	0.00	237.14	0.00	0.00	1,351.15	0.00	1,351.15
VETERANS FLAG REWARD FUND	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
DRUG TAX DIST	4,923.53	0.00	0.00	0.00	0.00	4,923.53	0.00	4,923.53
LAW ENFORCEMENT BLOCK GR	2,500.00	0.00	0.00	0.00	0.00	2,500.00	0.00	2,500.00
ADSAP	2,205.78	0.00	18.58	0.00	0.00	2,224.36	0.00	2,224.36
CAPITAL IMPROVEMENT FUND	3,343.92	0.00	0.00	0.00	0.00	3,343.92	0.00	3,343.92
PROJECTS FUND	1,332,593.57	0.00	2,690.00	0.00	43,588.75	1,291,694.82	0.00	1,291,694.82
G O BOND & INTEREST	172,247.67	0.00	668,080.92	0.00	0.00	840,328.59	0.00	840,328.59
WATER OPERATING	439,418.57	70,191.95 (	456.93)(	644.03)	303,956.97	205,840.65	0.00	205,840.65
METER DEPOSIT	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
WATER MAINTENANCE RESERVE	7,780.37	0.00	0.00	0.00	0.00	7,780.37	0.00	7,780.37
WATER IMPROVEMENT FUND	146,497.48	0.00	0.00	0.00	0.00	146,497.48	0.00	146,497.48
WATER LOAN P & I 2000	32.17	0.00	194,290.00	0.00	97,140.55	97,181.62	0.00	97,181.62
WATER LOAN P & I 2007	1.49	0.00	79,940.00	0.00	39,972.17	39,969.32	0.00	39,969.32
WATER SURPLUS RESERVE	560,532.70	0.00	0.00	0.00	0.00	560,532.70	0.00	560,532.70
SEWER OPERATING	298,386.97 (	427.65)	58,681.00 (	627.87)	14,488.24	342,779.95	1,500.00	341,279.95
SEWER OPERATION & MAINT	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
1993 SEWER BOND RESERVE	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
1993 SEWER BOND	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
SEWER DEPRECIATION	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
SEWER BOND RESERVE	325,086.52	0.00	0.00	0.00	2,090.60	322,995.92	0.00	322,995.92
1997 SEWER BOND P & I	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
1997 SW BOND DEPR	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
1997 SW BOND RESERVE	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
2001 SW BOND P & I	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
2001 SW REV BOND DEPR	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
2001 SW BOND RESERVE	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
GRAND TOTAL	4,180,127.41	69,764.30	2,089,858.59	182.83	703,236.80	5,636,330.67	7,159.79	5,629,170.88
	=====	=====	=====	=====	=====	=====	=====	=====

*** END OF REPORT ***

PRESENTATIONS / PROCLAMATIONS

PUBLIC FORUM

COMMITTEES, COMMISSIONS and APPOINTMENTS

For Council Review

- A. Edna Buschow Memorial Library Minutes
 - December 14, 2009 Meeting

- B. Site Plan Review Committee Minutes
 - January 11, 2009 Meeting

MINUTES
BOARD MEETING
EDNA BUSCHOW MEMORIAL LIBRARY
December 14, 2009

The meeting was called to order by Jerry Davidson, Board Chair. Those in attendance were Jerry Davidson, Howard Botts, Amy Stamm, Mary Aspenson, Marsha Huebert, and Janice Sharp. Eldon Miller and Julia Francisco also attended.

Marsha made a motion to approve the agenda; Mary seconded; motion carried; vote was unanimous.

Marsha made a motion to approve the minutes from the November 9 meeting; Mary seconded. Motion carried; vote was unanimous.

Marsha made a motion to approve the financial report and pay bills; Mary seconded. Motion carried; vote was unanimous.

Janice submitted the Librarian's report.

There was no report from the location committee.

Information regarding the Administrative Assistant was presented in the Librarian's report.

Julia had information prepared in folders for each board member. Included were the documents she had drafted in preparing for our fundraising campaign. She also included statements we had received from patrons who had been pleased with services they had received.

Julia discussed items she will need to set up an office for the duration of her contract. Marsha made a motion to set up a 2-year contract for a cell phone; Mary seconded. Motion carried; vote was unanimous. Howard made a motion to approve the contract for Julia; Mary seconded. Motion carried; vote was unanimous.

Julia will have a follow-up conversation with participants of the feasibility study in January. Jerry will draft a letter for a potential campaign chair. Julia will prepare a pledge card for use for potential donors. We will possibly have some meetings at the library for the committees of the fundraising campaign.

Jerry presented copies of letters he had prepared for members of the Friends and for library patrons.

Eldon presented a list of potential grant foundations. He also discussed the tax credit grant program. The next grant will be due May 1, 2010.

Howard made a motion to adjourn the meeting to proceed with the Board/staff Christmas party; Mary seconded. Motion carried; vote was unanimous.

SITE PLAN REVIEW COMMITTEE
7:00 P.M.
January 11, 2010
121 S. MERIDIAN

Chairman Sharp called the meeting to order at 7:00p.m., with the following members present: Jim Detwiler, John Dailey and Adam Dunn.

Members Absent: Vice-Chairman Delaney

Staff Present: Eldon G. Miller, AICP, CFM, Zoning Administrator
 David Foster, Planning Consultant

Press present:

APPROVAL OF THE AGENDA

Chairman Sharp moved, second by Detwiler to approve the agenda as presented. Vote Yea: Unanimous.

MINUTES OF November 30, 2009

Chairman Sharp moved, second by Dailey to approve as presented. Vote Yea: Sharp, Detwiler and Dailey. Abstain: Dunn.

COMMUNICATIONS

Eldon G. Miller, AICP, CFM will get copies of the 2010 Calendar to the members.

SITE PLANS

None

NEW BUSINESS

DOWNTOWN DESIGN STANDARDS AND OVERLAY DISTRICT

The Site Plan Review Committee was joined by Darla Mainz and Keith Harimon, property and business owners in downtown. The group choose the boundaries of the area to be on the South: Allen Street; North: 1st Street; East: Colby; and West: Railroad Tracks. The group reviewed slides of downtown and selected slides of the PowerPoint "*Design Standards for Small Towns and Rural Communities*". It was the consensus of the group to have street furniture black in color; No metal buildings downtown; look at Roof design; awnings flexible, scale and same design; landscape; street friendly; the La Venue being a spot for a vertical feature; signs; building colors; and parking lots. It was decided that there will be one page handouts with the criteria on them.

The meeting was adjourned at 9:43 p.m.

Respectfully submitted,

 Eldon G. Miller, AICP, CFM, Secretary

Approved by the Site Plan Review Committee on February 8, 2010.

 Gene Sharp, Chairman

OLD BUSINESS

A. ORDINANCE 1193-10, 2nd READING:

An Ordinance of the Valley Center City Council prohibiting trash burning within the City of Valley Center, Kansas.

Should Council choose to proceed,

RECOMMENDED ACTION:

Staff recommends motion to adopt Ordinance 1193-10, prohibiting trash burning within the City of Valley Center, Kansas, for 2nd reading.

ORDINANCE NO. 1193-10

AN ORDINANCE OF THE VALLEY CENTER CITY COUNCIL PROHIBITING TRASH BURNING WITHIN THE CITY OF VALLEY CENTER, KANSAS.

BE IT ORDAINED, by the Governing Body of Valley Center, Kansas:

Section 1. Purpose. This ordinance is intended to promote the public health, safety and welfare and to safeguard the health, comfort, living conditions, safety and welfare of the citizens of Valley Center due to the air pollution and fire hazards of outdoor burning and burning trash.

Section 2. Applicability. This ordinance applies to all outdoor burning and trash burning within Valley Center.

- a. This ordinance does not apply to grilling or cooking using charcoal, wood, propane, natural gas in cooking or grilling appliances.
- b. This ordinance does not apply to burning in a stove, furnace, fire-pit, chiminea, fireplace or other heating device unless the material being burned includes trash as defined in Section 3 of this ordinance.
- c. This ordinance does not apply to the use of propane, acetylene, natural gas, gasoline or kerosene in a device intended for heating construction or maintenance activities.

Section 3. Definitions. Whenever used in this ordinance, the following words and phrases shall have the meaning ascribed to them in this section unless the context clearly requires another meaning:

- a. **“Clean Wood”** – means natural wood which has not been painted, varnished or coated with a similar material, has not been pressure treated with preservatives and does not contain resins or glues as in plywood or other composite wood products.
- b. **“Emergency Situation”** – refers to any situation that because of: a) the type of material being burned (i.e. hazardous or noxious materials), b) the atmospheric conditions during the burning, or c) the careless nature in which the burning is occurring; poses a threat to the public health, the safety of public or private property, or the welfare of the environment.
- c. **“Exemption”** Exemptions include, but are not limited to, allowances for open burning to occur when burning clean untreated wood and natural wood products (including leaves), charcoal and other traditional food cooking fuels, vegetation from a farm, an orchard, a nursery, a tree farm, or a drainage ditch as well as fires used for recreational or ceremonial purposes, such as school pep rally fires or the celebration of scout activities, unless prohibited by a burn ban or local ordinance.
- d. **“Hazardous Materials”** – means any waste that because of its quantity; concentration; or physical, chemical, or infectious characteristics may: a) cause or significantly contribute to an increase in mortality or increase in serious irreversible, or incapacitating reversible, illness; or, b) pose a substantial present or potential

- hazard to health or the environment when improperly treated, stored, transported, handled, disposed of or otherwise managed; or c) be non-degradable or persistent in the environment; or d) be biologically magnified; or e) cause or tend to cause cumulative effects; or f) be defined in 40 CFR 261.3 and any future amendments.
- e. **“Noxious Materials”** – are defined as materials that when burned produce by-products that may be injurious to human health or the environment. This list of materials shall include, but not be limited to, tires, roofing material, treated lumber, waste oil, oil contaminated products, herbicide/pesticide products and their containers.
 - f. **“Open Burning”** – defined as the burning of any materials wherein air contaminants resulting from combustion are emitted directly into the air, without passing through a stack or chimney from an enclosed chamber.”
 - g. **“Predominantly Wooden Structure”** – defined as a “clean wood” structure with no coatings, wiring, plumbing fixtures, or other non-wood items.
 - h. **“Person”** – for the purposes of this ordinance, shall be defined as any individual, partnership, co-partnership, firm, company, corporation, association, joint stock company, trust, estate, school district, school corporation, county, any consolidated unit of government, state agency, a contractor or any other legal entity.
 - i. **“Solid Waste”** – shall mean any garbage, refuse, sludge, or other discard or disposed materials including solid, liquid or semi-solid or contained gaseous materials resulting from any operation, activity or source. For the purposes of this ordinance this definition excludes hazardous materials as defined above.
 - j. **“Stack”** – means a duct, chimney, flue, or other conduit arranged for the purpose of emission or channeling of air pollutants into the atmosphere.
 - k. **“Trash”** – means any waste material except clean wood products and leaves.
 - l. **“Unattended Burning”** – means the burning of materials without a person in attendance. This definition shall include, but not be limited to, leaving the property where open burning is occurring, being outside of visual sight of where the open burning is occurring, going indoors while open burning, and leaving a fire before it is fully extinguished.
 - m. **“Variance”** – a permit allowing open burning with the approval of the Valley Center Fire Department or its designated agent or agents.

Section 4. Acts Prohibited

- a. Burning of all hazardous materials and all noxious materials, as defined within this ordinance or as defined by any state or federal laws, rules or regulations.
- b. Burning of household trash either on the ground or in a burn barrel including but not limited to food waste, packaging, newspaper, corrugated cardboard, container board, plastic containers, polystyrene and disposable diapers.
- c. Wood products that are painted, varnished, or stained including, but not limited to, plywood, composite wood products.
- d. Unattended burning that creates or could create an emergency situation.
- e. Any burning not exempt as provided herein or allowed by a variance.

Section 5. Acts Allowed For the purposes of this ordinance, the following exemptions are hereby allowed as defined herein.

- a. Burning of clean wood, leaves, weeds, brush, stumps and any other vegetative debris.
 1. If the brush pile is **More Than** one hundred twenty-five (125) cubic feet (for example 5 ft long, 5 ft. wide, 5 ft. high) Valley Center Dispatch must be notified before igniting.
- b. Recreational or ceremonial fires that meet the following conditions:
 1. Only clean untreated wood or charcoal shall be used. Paper products can be used for ignition purposes only.
 2. If the pile is **More Than** one hundred twenty-five (125) cubic feet (for example 5ft long, 5 ft. wide, 5 ft. high) Valley Center Dispatch must be notified at least twenty-four (24) hours prior to any burning.
 3. The fire shall not be ignited more than two (2) hours before the recreational activity is to take place and shall be extinguished upon the conclusion of the activity.
 4. The pile to be burned shall be less than one thousand (1,000) cubic feet (For example: 10 ft long, 10 ft. wide and 10 ft. high.)
 5. The fires shall not be used solely for disposal purposes.
 6. Fires shall not take place within five hundred (500) feet of any fuel storage area or pipeline.
- c. Burning of office documents for the purpose of disposal.
 1. Only paper office documents may be burned.
 2. The fire shall be contained within a burn barrel or approved substitute with metal screen cover.
 3. Unattended burning of office documents is prohibited.
- d. Burning of predominantly wood structures on real property or wood remnants of the demolition of a predominantly wooden structure originally located on real property.
 1. The Valley Center Fire Department must approve the burning 72 hours (3 days) before the planned burn.
 2. In addition, for certain structures, the Valley Center Fire Department may require the applicant to contact the Kansas Department of Health and Environment (KDHE) for permit/approval to burn.
 3. The Valley Center Fire Department must approve the burning 72 hours (3 days) before the planned burn.
 4. In addition, for certain structures, the Valley Center Fire Department may require the applicant to contact the Kansas Department of Health and Environment (KDHE) for permit/approval to burn.
- e. All Allowed Acts and Variances are subject to and shall adhere to the Illegal Trash Burning Ordinance Policies and Guidelines as adopted by the Valley Center City Council.

Section 6. Variances Variances must be obtained from the Valley Center Fire Department or its designated agent or agents for the following circumstances.

- a. Burning of refuse consisting of material resulting from a natural disaster.
- b. Burning for the purpose of fire training.
- c. Burning of natural growth derived from a clearing operation or removal of natural growth for change in the use of the land.

Section 7. Burning Guidelines All Allowed Acts and Variances must follow these guidelines:

- a. Only wood products or other pre-approved material may be burned.
- b. Fires shall be attended at all times until completely extinguished and all cold.
- c. Burning shall occur only in daylight hours with the exception of rallies and recreational or ceremonial fires.
- d. If a fire creates an air pollution problem, a nuisance or a fire hazard, it shall be extinguished.
- e. No burning shall be conducted during unfavorable meteorological conditions such as temperature inversions, high winds, air stagnation, etc.
- f. All persons during burning shall have sufficient fire suppression equipment present.
- g. Burning must be in compliance with any state and/or local burn bans.

Section 8. Ordinance Enforcement Authority The following shall be authorized enforcement agents in the enforcement of this ordinance within the limits of Valley Center, Kansas: Area law enforcement officials serving the City and the Valley Center Code Compliance Officer(s).

Section 9. Investigation It shall be the duty of the authorized enforcement agents to evaluate any report or complaint of a violation of this ordinance for proper enforcement procedures.

- a. Authorized enforcement agents shall provide a written “Illegal Burning Case Report” of all reported burning violations to the Valley Center Fire Department.
- b. The Fire Department and/or the City Code Compliance Officer shall be responsible for issuing the violator a “Notice of Violation for Illegal Burning” and, if necessary, enforcement of penalties or fines as set forth herein.
- c. If access to property is granted, the investigation shall proceed on a voluntary basis. If access is needed to proceed with any investigation, but is denied, the authorized enforcement agents may seek any necessary authorizations, including a search warrant, to enter the property; provided, however, in cases of a visible emergency situation an access to property shall be deemed granted.
 1. Any pertinent evidence may be considered to determine whether a violation of this ordinance has occurred and the identity of any violator.

Section 10. Enforcement

- a. If a condition violating this ordinance exists on real property, the authorized enforcement agents *may* take the following actions:
 1. In cases of actions violating this Ordinance a certified “Notice of Violation” shall be issued by the enforcement agent to all owner(s) of record at their last known mailing address.
 2. In cases of an emergency situation, an authorized enforcement agent, as set forth herein, may take immediate action to suppress the fire. If action to suppress the fire and bring the property into compliance is taken; the costs of these actions may be recovered as set forth in this ordinance.
- b. It shall be a violation of this ordinance to interfere with any authorized enforcement agent while in the performance of their duties hereunder.

- c. The owner(s) of property on which illegal burning acts have occurred may be included as a party in an enforcement action against a person who committed the violation.
- d. A notice of ordinance violation shall state the name of the person(s) to whom the notice is being issued, the nature of the violation, the specific section of this ordinance that has been violated, the date of the notice, and the fine imposed, if warranted, for the violation in accordance with this ordinance. The notice of ordinance violation shall direct the person to whom it is issued to respond to the Chief of the Valley Center Fire Department and submit an acceptable clean-up plan specifying dates and an acceptable plan for any future solid waste disposal.

Section 11. Penalties and Fines

- a. **Class “C” Violation** - Any person who violates any of the provisions of this ordinance, except the burning of noxious materials and/or hazardous materials, and whose violation is a **first violation**, commits a Class “C” violation of this ordinance. Class “C” violations have no fines if the person(s) responsible for a Class “C” violation shall:
 - 1. Contact the enforcement agent within the permitted time on the Notice of Violation.
 - 2. Pay for the costs of fire-suppression – if the fire department was required to extinguish the fire.
 - 3. Provide evidence/receipts that the site of the illegal burn, including the burn barrel, has been cleaned up and the waste has been properly disposed or reimburse the authorized enforcement agents for all costs related to the clean-up.
 - 4. Provide an acceptable plan for any future trash disposal.
- b. **Class “B” Violation** Any person who violates any of the provisions of this ordinance, except the burning of noxious materials and/or hazardous materials, and whose violation is a **second violation** or any other subsequent violation, commits a Class “B” violation of this ordinance. Person(s) responsible for a Class “B” violation shall:
 - 1. Contact the enforcement agent within the permitted time on the Notice of Violation.
 - 2. Pay a fine of One Hundred Dollars (\$100.00), except as provided in Sec. 11.e(2)
 - 3. Pay for the cost of fire suppression, if the fire department was required to extinguish the fire.
 - 4. Provide evidence/receipts that the site of the illegal burn, including the burn barrel, has been cleaned up and the waste has been properly disposed or reimburse the authorized enforcement agents for all costs related to the clean-up.
 - 5. Provide an acceptable plan for any future trash disposal.
- c. **Class “A” Violation** Any person whose acts violate this ordinance by the burning of **noxious materials** and/or **hazardous materials** commits a Class “A” violation of this ordinance. Person(s) responsible for a Class “A” violation shall:
 - 1. Contact the enforcement agent within the permitted time on the Notice of Violation.

2. Pay a fine of Two Hundred Fifty Dollars (\$250.00), except as provided in Sec. 11.e (3)
 3. Pay for the cost of fire suppression, if the fire department was require to extinguish the fire.
 4. Provide receipts evidencing all costs related to the clean-up of the waste and proper disposal of any waste related to the violation; or reimburse the authorized enforcement agents for all cost related to the clean-up.
 5. Provide an acceptable plan for any future waste disposal.
- d. If further actions in violation of this ordinance occur, or if no action to bring a property into compliance by the property owner(s) occurs within the permitted time, litigation may be pursued in the Valley Center Municipal Court, or any successor court.
1. The City Prosecuting Attorney, or a designated agent, may pursue litigation of this ordinance in Court.
- e. Upon adjudication or admission of any violation of this ordinance in Valley Center Municipal Court, or any successor court, the violator shall be subject to the following fines and penalties:
1. Any person who has committed a Class “C” violation of this ordinance shall be fined by the Court a sum of not less than One Hundred Dollars (\$100.00) and not greater than Five Hundred Dollars (\$500.00) per violation.
 2. Any person who has committed a Class “B” violation of this ordinance shall be fined by the Court a sum of not less than Two Hundred Fifty Dollars (\$250.00) and not greater than One Thousand Dollars (\$1,000.00) per violation.
 3. Any person who has committed a Class “A” violation of this ordinance shall be fined by the Court a sum of not less than Five Hundred Dollars (\$500.00) and not greater than Two Thousand Five Hundred Dollars (\$2,500.00) per violation.
 4. Any person found to be in violation of any provision of this ordinance, whether by admission or adjudication, shall, in addition to any fines as set forth above, be required to provide an acceptable plan for any future solid waste disposal, be assessed all costs and expenses of the fire suppression, investigation, clean-up and removal of waste connected with the violation, and shall, in addition, be liable for all reasonable attorney fees, court costs, and other costs incurred by the City in connection with the enforcement of the ordinance.
 5. Failure or refusal to bring property into compliance with this ordinance after adjudication of a violation shall constitute a Class “A” violation of this ordinance. Each day a noncompliance continues shall constitute a separate violation of this ordinance.

Section 12. Indirect Liability Any person who allows the accumulation or existence of combustible material(s) which constitutes or contributes to a fire causing air pollution may not refute liability for the violation of this ordinance on the basis that said fire was set by vandals, accidental, and/or act of God.

A property owner cannot direct another person to carry out actions in violation of this ordinance or knowingly allow another person to carry out actions in violations of this ordinance on their property.

Violating this provision constitutes a violation of the ordinance and carries the equivalent sanctions and penalties as the violation.

Section 13. Severability. If any section, subsection, sentence, clause, phrase or word of this ordinance is for any reason held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining portions of this ordinance. The council hereby declares that it would have passed this ordinance and each section subsection, sentence, clause, phrase, and words thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses, phrases or words have been declared invalid or unconstitutional, and if for any reason this ordinance should be declared invalid or unconstitutional, then the remaining ordinance provisions will be in full force and effect.

Section 14. Applicability and Effective Date This ordinance shall apply to the entirety of Valley Center, Kansas.

All portions of former ordinances in conflict herewith are hereby repealed or superseded.

This ordinance shall be in full force and effect from and after its passage and after publication according to law.

PASSED AND APPROVED by the Governing Body of the City of Valley Center, Kansas, this ____ day of _____ 2010.

First Reading: February 2, 2010
Second Reading: _____

{SEAL}

Michael McNown, Mayor

ATTEST:

Kristine A. Polian, City Clerk

OLD BUSINESS

B. FIELDSTONE TRAFFIC PRESENTATION: OPTION # 3

Item is continued from the February 2, 2010 Meeting

Should Council choose to proceed,

RECOMMENDED ACTION:

Staff recommends motion to restrict parking on Fieldstone as recommended by City Engineer.

Date: 2-9-2010

Issue: Traffic Congestion on Fieldstone Rd. in Valley Center Kansas generally between Clover Lane and Goff.

Complaint: It has been reported that on-street parking on both sides of the roadway has resulted in traffic congestion, particularly when busses come and go from Wheatridge school.

Existing Site Characteristics:

30' Roadway (31' Back to Back)

The primary functions of Fieldstone are:

1. Provide access to Wheatridge Elementary School
2. Serve as a collector roadway for other residential streets
3. Provide access to houses along Fieldstone

As a result of these functions, Fieldstone is classified as an urban collector roadway within a residential neighborhood. Fieldstone likely has a higher through traffic volume than a typical residential neighborhood street due the primary function on providing access to the school and serving as a collector for other residential streets.

Discussion:

The minimum desired street width for an urban collector in a residential neighborhood where parallel parking is allowed on both sides of the street would be 36' (2-11' lanes and 7' parking on each side), with a wider street being more desirable. This width allows unimpeded two-way traffic while allowing parking on both sides.

With the existing roadway width of 30', only one lane of traffic is assured with parking allowed on both sides of the street. Given the fact that Fieldstone serves as a collector providing primary access to the school and other residential streets, it has a higher traffic volume than most other residential streets. It would be expected that higher occurrences of conflicts between two-way traffic in this situation would occur. Complaints to the City appear to verify this situation.

To provide more efficient movement of vehicles along Fieldstone, parallel parking on both sides of the street should not be permitted. Eliminating parking on the north side of Fieldstone is the most logical, since cars parked on the north side of the curve between Greenfield and Goff restrict a driver's view of approaching vehicles or pedestrians.

To address complaints that eliminating parking on both sides of the street will increase the number of vehicles exceeding the 30 mph speed limit, it may be necessary to increase police enforcement. Additionally, while it is generally not necessary to post speed limits on residential streets, doing so provides another tool to remind drivers that they are on a residential street, thus reducing the potential for speed violations.

NEW BUSINESS

A. SANITARY SEWER IMPROVEMENTS; VALLEY CENTER INDUSTRIAL PARK, 2ND ADDITION:

1. Resolution 569-10, Authorizing Proposed Sanitary Sewer Improvements

Should Council choose to proceed,

RECOMMENDED ACTION:

Staff recommends motion to adopt Resolution 569-10 authorizing Sanitary Sewer Improvements for Industrial Park, 2nd Addition.

Gilmore & Bell, P.C.
02/10/2010

(Published in *The Ark Valley News*, on February 25, 2010)

RESOLUTION NO. 569-10

A RESOLUTION DETERMINING THE ADVISABILITY OF THE MAKING OF CERTAIN INTERNAL IMPROVEMENTS IN THE CITY OF VALLEY CENTER, KANSAS; MAKING CERTAIN FINDINGS WITH RESPECT THERETO; AND AUTHORIZING AND PROVIDING FOR THE MAKING OF THE IMPROVEMENTS IN ACCORDANCE WITH SUCH FINDINGS (SANITARY SEWER IMPROVEMENTS-VALLEY CENTER INDUSTRIAL PARK 2nd ADDITION).

WHEREAS, a Petition was filed with the City Clerk of the City of Valley Center, Kansas (the “City”) proposing certain internal improvements; and said Petition sets forth: (a) the general nature of the proposed improvements; (b) the estimated or probable cost of the proposed improvements; (c) the extent of the proposed improvement district to be assessed for the cost of the proposed improvements; (d) the proposed method of assessment; (e) the proposed apportionment of the cost between the improvement district and the City at large; and (f) a request that such improvements be made without notice and hearing as required by K.S.A. 12-6a04(b) (the “Act”); and

WHEREAS, the governing body of the City hereby finds and determines that said Petition was signed by all of the owners of record of the area liable for assessment for the proposed improvements, and is therefore sufficient in accordance with the provisions of the Act.

THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF VALLEY CENTER, KANSAS:

Section 1. Findings of Advisability. The governing body hereby finds and determines that:

(a) It is advisable to make the following improvements:

Sanitary Sewer Improvements to serve Valley Center Industrial Park 2nd Addition, an addition to the City of Valley Center, Sedgwick County, Kansas, according to plans and specifications to be furnished by the City Engineer of the City of Valley Center, Kansas (the “Improvements”).

(b) The estimated or probable cost of the Improvements is: Twenty Eight Thousand Five Hundred Dollars (\$28,500.00), to be increased at the pro rata rate of 1 percent per month from and after the date of adoption of this Resolution.

(c) The extent of the improvement district (the “Improvement District”) to be assessed for the cost of the Improvements is:

Lot 5, Block 2, Valley Center Industrial Park 2nd Addition, an addition to the City of Valley Center, Sedgwick County, Kansas.

(d) The method of assessment is: equally per lot (1 lot).

(e) The apportionment of the cost of the Improvements between the Improvement District and the City at large is: 33% to be assessed against the Improvement District and 67% to be paid by the City-at-large.

Section 2. Authorization of Improvements. The abovesaid Improvements are hereby authorized and ordered to be made in accordance with the findings of the governing body of the City as set forth in *Section 1* of this Resolution.

Section 3. Benefit Fees. The governing body of the City hereby establishes a benefit fee area pursuant to K.S.A. 12-6a19 to spread a portion of the costs of the Improvements to the owners of property which benefit from the Improvements but which are not included within the Improvement District described in *Section 1(c)* hereof; to wit, Lot 4, Block 1, and Lot 6, Block 2, Valley Center Industrial Park 2nd Addition, an addition to the City of Valley Center, Sedgwick County, Kansas.

Section 4. Bond Authority; Reimbursement. The Act provides for the Improvements to be paid by the issuance of general obligation bonds or special obligation bonds of the City (the "Bonds"). The Bonds may be issued to reimburse expenditures made on or after the date which is 60 days before the date of this Resolution, pursuant to Treasury Regulation 1.150-2.

Section 5. Effective Date. This Resolution shall be effective upon adoption. This Resolution shall be published one time in the official City newspaper, and shall also be filed of record in the office of the Register of Deeds of Sedgwick County, Kansas.

[BALANCE OF THIS PAGE INTENTIONALLY LEFT BLANK]

ADOPTED by the governing body of the City on February 16, 2010.

(SEAL)

Mayor

ATTEST:

Clerk

CERTIFICATE

I hereby certify that the above and foregoing is a true and correct copy of the Resolution of the City adopted by the governing body on February 16, 2010, as the same appears of record in my office.

DATED: February 16, 2010.

Clerk

NEW BUSINESS

A. SANITARY SEWER IMPROVEMENTS; VALLEY CENTER INDUSTRIAL PARK, 2ND ADDITION:

2. Proposed Sanitary Sewer Improvement Design Contract with P.E.C.

Should Council choose to proceed,

RECOMMENDED ACTION:

Staff recommends motion to approve Industrial Park, 2nd Addition Proposed Improvement Design Contract with P.E.C.

AGREEMENT
 for
 ENGINEERING SERVICES
 between
 THE CITY OF VALLEY CENTER
 and
 PROFESSIONAL ENGINEERING CONSULTANTS, P.A.
 303 S. TOPEKA
 WICHITA, SEDGWICK COUNTY, KANSAS

This Agreement, made at Valley Center, Sedgwick County, Kansas, this _____ day of _____, 2010, by and between the City of Valley Center, hereinafter called the "OWNER", and Professional Engineering Consultants, P.A., Wichita, Sedgwick County, Kansas, hereinafter called the "ENGINEER".

WITNESSETH: That whereas the OWNER intends to construct Sanitary Sewer Improvements in the Valley Center Industrial Park 2nd Addition to serve Lot 5, Block 2, hereinafter called the PROJECT, and

WHEREAS it is the desire of both parties that the ENGINEER furnish engineering and technical services in conjunction with the PROJECT; and

WHEREAS all of the aforesaid is located within the corporate limits of the City of Valley Center, Sedgwick County, Kansas, and

WHEREAS the OWNER is authorized by law to retain a consulting engineer to assist in the preparation of plans, specifications, and legal descriptions for the PROJECT, as well as such other tasks as may be requested by the OWNER;

NOW, THEREFORE, in consideration of the premises and of the mutual covenants herein set forth for the completion of the PROJECT, the parties hereto do mutually agree as follows:

ARTICLE I. SCOPE OF SERVICES.

The Scope of Services to be performed by the ENGINEER shall be as set forth in EXHIBIT A as attached.

ARTICLE II. THE ENGINEER AGREES.

- A. To provide the various technical and professional services, equipment, material, and transportation to perform the tasks as outlined in the Scope of Services.
- B. To make available during regular office hours at his Wichita office all calculations, sketches, and drawings such as the OWNER may wish to examine periodically during performance of the Agreement.
- C. Where payment is based on other than a lump sum amount, to maintain all books, documents, papers, accounting records and other evidence pertaining to costs incurred and to make such material available at his office at reasonable times during the contract period and for three years from the date of final payment under the contract for inspection by the OWNER or his authorized representatives.
- D. To comply with and/or to the following additional provisions with respect to his performance and obligation under this agreement:
 - 1. The ENGINEER shall observe the provisions of the Kansas Act Against Discrimination, the Kansas Age Discrimination in Employment Act and the applicable provisions of the American with Disabilities Act, and shall not discriminate against any person in the performance of work under the present Agreement because of race, religion, color, sex, physical handicap unrelated to such person's ability to engage in the particular work, national origin, or ancestry.
 - 2. In all solicitations or advertisements for employees, the ENGINEER shall include the phrase "equal opportunity employer" or a similar phrase to be approved by the Kansas Commission on Civil Rights.

3. If the ENGINEER commits a substantial breach of Article II, paragraph D.1. of this Agreement, it may be canceled, terminated, or suspended, in whole or in part, by the OWNER if such breach is not cured within fourteen (14) days after receipt of written notice from the OWNER. Said cancellation, termination, or suspension will also relieve the OWNER of any obligations of payment except as outlined in Paragraph A of ARTICLE V in the event of termination.
 4. If the ENGINEER is found guilty of a violation of the Kansas Act Against Discrimination under a decision or order of the Commission which has become final, the ENGINEER shall be deemed to have breached the present Agreement, and it may be canceled, terminated, or suspended, in whole or in part, by the OWNER.
 5. The ENGINEER shall include the provisions of Item D, Paragraphs 1 through 4, inclusive, in every subcontract or purchase order so that the provisions will be binding upon such subcontractor or vendor.
- E. To accept compensation for the services herein described in such amounts and at such periods as hereinafter provided and that such compensation shall be satisfactory and sufficient payment for all work performed, equipment or materials used and services rendered in conjunction with the PROJECT.
- F. To complete the services to be performed by ENGINEER within the time allotted for the PROJECT in accordance with Exhibit A; except that the ENGINEER shall not be responsible or held liable for delays occasioned by the actions or inactions of the OWNER or others, or for other unavoidable delays beyond the control of the ENGINEER.
- G. To indemnify and hold harmless the OWNER, its employees and agents from and against claims, damages, losses, and expenses arising out of or resulting from the

performance of the services of ENGINEER, but only to the extent such claims, damages, losses, or expenses are caused by the negligent act, error, or omission of ENGINEER or any person or organization for whom ENGINEER is legally liable. Unless otherwise stated herein, in the event such claims, damages, losses, or expenses are caused by the joint or concurrent negligence of the OWNER and ENGINEER and/or others, such liability shall be borne by each party in proportion to its own negligence.

- H. ENGINEER shall procure and maintain such insurance as will protect the ENGINEER from damages resulting from negligent errors, omissions and acts of the ENGINEER, its agents, officers, employees and subcontractors in the performance of the professional services rendered under this Agreement and for which the ENGINEER is legally liable. Such policy of insurance shall be in an amount not less than \$500,000 subject to deductible. In addition, a Worker's Compensation and Employer's Liability Policy shall be procured and maintained. This policy shall include an "all state" endorsement. Said insurance policy shall also cover claims for injury, disease or death of employees arising out of and in the course of their employment, which, for any reason, may not fall within the provisions of the Worker's Compensation Law. The liability limit shall not be less than:

Worker's Compensation - Statutory
 Employer's Liability - \$500,000.00 each accident
 \$500,000.00 disease, each employee
 \$500,000.00 disease, policy limit

Further, a commercial general liability policy shall be procured and maintained by the ENGINEER that shall be written in a comprehensive form and shall protect ENGINEER against all claims arising from injuries to persons (other than ENGINEER's employees) or damage to property of the OWNER or others arising out of any negligent act or omission of ENGINEER, its agents, officers, employees or subcontractors in the performance of ENGINEER services under this Agreement. The liability limit shall not be less than \$500,000 per occurrence for bodily injury, death and property damage.

Satisfactory Certificates of Insurance shall be filed with the OWNER within fourteen (14) days of written request by the OWNER. The ENGINEER shall furnish the OWNER certificates of insurance that relate to the insurance policies that must be maintained hereunder. In addition, insurance policies applicable hereto shall contain a provision that provides that the OWNER shall be given thirty (30) days written notice by the Insurance Company before such policy is substantially changed or canceled.

- I. To deliver to the OWNER tracings of the completed plans, and copies of electronic data files as may be requested, and other pertinent drawings and documents for the PROJECT, all such documents to become the property of the OWNER, PROVIDED, however, that all documents designated to become property of the OWNER shall be understood to be instruments of service in respect to this PROJECT and ENGINEER shall retain an ownership and property interest therein (including the right of reuse at the discretion of the ENGINEER whether or not the PROJECT is completed). Use of these documents for any other purpose without written authorization and consent of PEC is prohibited.
- J. To attend meetings with the OWNER and other local, state and federal agencies as necessitated by the PROJECT.
- K. To designate a Project Manager for the coordination of the work that this Agreement requires to be performed and to advise the OWNER in writing of the person(s) so designated.
- L. The ENGINEER hereby certifies that:
 - 1. It has not employed or retained for a commission, percentage, brokerage, contingent fee, or other consideration, any firm or person (other than a bona fide employee working solely for the above ENGINEER) to solicit or secure this Agreement.

2. It has not agreed, as an express or implied condition for obtaining this Agreement, to employ or retain the services of any firm or person in connection with carrying out the Agreement.
3. It has not paid or agreed to pay to any firm, organization, or person (other than a bona fide employee working solely for the above ENGINEER) any fee, contribution, donation, or consideration of any kind for, or in connection with, procuring or carrying out the Agreement.

ARTICLE III. THE OWNER AGREES.

- A. To furnish the ENGINEER any information currently available relative to existing and proposed improvements in the PROJECT area which may be pertinent to the PROJECT. Such information may include, soil borings and geotechnical reports about subsurface conditions, hazardous conditions and/or history of site contamination, underground utilities, etc.
- B. To provide right of entry for the ENGINEER's personnel in performing field surveys and inspections.
- C. To promptly review all preliminary study reports, drawings, recommendations, contract documents and other data submitted by the ENGINEER and to advise the ENGINEER of any desired corrections, modifications or additions thereto.
- D. To pay the ENGINEER for its services in accordance with the requirements of this Agreement.

Payment will be credited first to any interest owed to ENGINEER and then to principal. If OWNER fails to make any payment due ENGINEER for services and expenses within 60 days after receipt of ENGINEER'S invoice and funds are available for the PROJECT, then amounts due ENGINEER will be increased at the rate of 1.0% per month (or the maximum rate of interest permitted by law, if less) from said sixtieth day.

ENGINEER may, after giving seven days written notice to OWNER, suspend services under this Agreement until OWNER has paid in full all amounts due for services, expenses, and other related charges. OWNER waives any and all claims against ENGINEER for any such suspension.

If OWNER contests an invoice, OWNER may withhold only that portion so contested, and must pay the undisputed portion.

If after the Effective Date of the Agreement any governmental entity takes a legislative action that imposes taxes, fees, or charges on ENGINEER's services or compensation under this Agreement, then the ENGINEER may invoice such new taxes, fees, or charges as a Reimbursable Expense to which a factor of 1.0 shall be applied. OWNER shall pay such invoiced new taxes, fees, and charges.

- E. To pay the ENGINEER for authorized additional work.

ARTICLE IV. PAYMENT PROVISIONS.

- A. The fee for engineering services for performance of the specified services shall be based on a lump sum fee amount as specified below:

Sanitary Sewer Design	\$3,200
-----------------------	---------

In the event the PROJECT's or any portion thereof are not constructed or awarded within one (1) year after the completion of the final plans, the fees will become due.

- B. Contract Administration and Project Representation Service during construction of the PROJECT will be charged on a direct payroll cost (hourly basis) times a factor of 2.9 and at direct costs for reimbursable expenses such as compaction

tests, concrete cylinders, and asphalt testing, travel and lodging. Construction Inspection Services will be provided only if authorized by the City. The fee for Administration and Project Representation Services and shall not exceed the amounts as specified below:

- 1. Construction Administration \$ 750
- 2. Construction Inspection \$3,000
(Bases on 5 calendar days of Inspection).

C. Billings will be made and become due as follows for services outlined above:

Delivery of Final Plans ----- 100%

D. Fees for Project Representation services and Contract Administration Services during the Construction Phase will be billed and become due on monthly periods.

ARTICLE V. IT IS FURTHER MUTUALLY AGREED BY THE OWNER AND THE ENGINEER.

A. That the right is reserved to the OWNER to terminate this Agreement at any time, upon written notice, in the event the PROJECT is to be abandoned or indefinitely postponed, or because of the ENGINEER's inability to proceed with the work, or because the services of the ENGINEER breach Article V, paragraph I.; PROVIDED, however, that in any case the ENGINEER shall be paid the reasonable value of the services rendered up to the time of termination on the basis of the provisions of this Agreement, but in no case shall payment be more than the ENGINEER's actual costs plus a reasonable sum for profit.

- B. That the pertinent drawings and documents pertaining to the PROJECT shall become the property of the OWNER upon completion or termination of the ENGINEER's service in accordance with this Agreement. ENGINEER shall be permitted to reuse standard details, designs and specifications without further consent of OWNER.

OWNER shall indemnify ENGINEER from all claims, damages, or costs relating to reuse, completion or modification of such documents by OWNER, including allegations of ENGINEER's own negligence. ENGINEER's seal and name shall not be reproduced on such documents if reused by OWNER for any purpose. ENGINEER shall have no liability for documents which are incomplete due to a termination or suspension of services.

If 'deliverables' include electronic data and there is a conflict between the sealed hard copy drawings and the electronic files, the sealed drawings will govern.

Electronic drawings shall be delivered to the OWNER in the CADD file format, drafting standards and layering conventions used by the ENGINEER to produce the contract drawings.

Further, once delivered, the ENGINEER shall no longer be responsible for the contents of electronic files, their compatibility with the OWNER's CADD system or the length of life of a file. The OWNER will have an acceptance period of 45 days following delivery of electronic data within which to review and accept the files. During this period the ENGINEER will correct any deficiencies as a part of this Agreement. 'Deficiency' shall not apply to the development of software of any kind as a corrective measure.

- C. That the services to be performed by the ENGINEER under the terms of this Agreement are personal and cannot be assigned, sublet or transferred by either party without prior written consent of the other party.

- D. That in the event of unavoidable delays in the progress of the work contemplated by this Agreement, reasonable extensions in the time allotted for the work will be granted by the OWNER, provided, however, that the ENGINEER shall request such extensions in writing giving the reasons therefore.
- E. That neither party shall hold the other responsible for damages or for delays in performance caused by acts of God or other acts or circumstances beyond the control of the other party or that could not have been reasonably foreseen and prevented. For this purpose, such acts or circumstances shall include, but not be limited to, unusual weather affecting performance, floods, epidemics, war, riots, strikes, lockouts, or other industrial disturbances, protest demonstrations, unanticipated site conditions, and inability, with reasonable diligence, to supply personnel, equipment, or material for the services. Should such acts or circumstances occur, both parties shall use their best efforts to overcome the difficulties arising and to resume as soon as reasonably possible the normal pursuit of the services.
- F. That this Agreement and all contracts entered into under the provisions of the Agreement shall be binding upon the Parties hereto and their successors and assigns.
- G. That the rights and remedies of the OWNER and ENGINEER provided for under this Agreement are in addition to any other rights and remedies provided by law.
- H. That it is not intended by any of the provisions of any part of this Agreement to create the public or any contractor, subcontractor or surety a third-party beneficiary hereunder, or to authorize anyone not a party to this Agreement to maintain a suit for damages pursuant to the terms or provisions of this Agreement.
- I. That services performed by the ENGINEER under this Agreement will be conducted in a manner consistent with that level of care and skill ordinarily

exercised by members of the engineering profession currently practicing in the same locality under similar conditions. No other representations, expressed or implied, and no warranty or guarantee is included in this Agreement, or in any report, opinion, document, certification or otherwise.

- J. Any action or claims arising out of or related to this Agreement or the PROJECT that is the subject of this Agreement shall be governed by Kansas law. Good faith negotiation and mediation are express conditions precedent to the filing of any legal action. Mediation shall be conducted in accordance with the latest edition of the Construction Mediation Rules of the American Arbitration Association.
- K. That should the OWNER at any time be unable to appropriate sufficient funds for the work covered by this Agreement, for whatever reason, the ENGINEER shall reserve the right to cease work on the PROJECT until sufficient monies are available, without liability for delay.
- L. That authorization for any appropriate Extra Work under the terms of this Agreement shall be evidenced by the OWNER in writing. No extra work shall be compensated without written consent from the OWNER.

At the discretion of the OWNER, and in accordance with the terms of this Agreement, Extra Work will usually be of limited extent and may consist of, but is not necessarily limited to:

1. The introduction of new items of work beyond the stated scope of the Agreement.
2. Redesign and/or detailing based on changes in law, or changes of concept after prior approval and authorization to proceed, and causing appreciable loss of work accomplished.

- M. That since the ENGINEER has no control over the cost of labor, material or equipment, or over Contractor's methods of determining prices, or over competitive bidding or market conditions, the estimates of construction costs provided for herein are to be made on the basis of ENGINEER's experience and qualifications and represent ENGINEER's judgment as a design professional familiar with the construction industry, but ENGINEER cannot and does not guarantee that the bids or the project construction costs will not vary from the cost estimates prepared by ENGINEER.
- N. That hazardous materials may exist where there is no reason to believe they could or should be present. In this event, the ENGINEER agrees to notify the OWNER as soon as practically possible should unanticipated hazardous materials or suspected hazardous materials be encountered. The OWNER waives any claim against the ENGINEER and agrees to indemnify, defend and hold the ENGINEER harmless from any claim or liability for injury or loss arising from unanticipated hazardous materials or suspected hazardous materials. The OWNER also agrees to compensate the ENGINEER for any time spent and expenses incurred by the ENGINEER in defense of any such claim, with such compensation to be based upon the ENGINEER's prevailing fee schedule and expense reimbursement policy.
- O. The conditions at the site are the property of the OWNER regardless of whether or not they could be identified by an investigation or exploration conducted according to the professional standard of care. A "Differing Site Condition" is a subsurface, hidden, latent, or physical condition at a project site/building not revealed by the site exploration, site investigation, or other information provided to the OWNER and which cannot be reasonably anticipated. Special risks occur whenever engineering is applied to identifying site/building conditions. Even a comprehensive investigation according to the professional standard of care may not detect all subsurface or site/building conditions. PEC shall not be liable for site/building conditions which could not be identified by such an investigation or exploration. Accordingly, the OWNER agrees to indemnify, including all costs and attorney fees, and hold PEC

harmless from all claims for Differing Site Conditions, provided PEC performs the services specified in the Contract in a manner reasonably conforming to the terms of the Contract and to the Standard of Care.

- P. This Agreement shall be governed by Kansas law.
- Q. This Agreement is solely for the benefit of PEC and OWNER. Nothing herein is intended in any way to benefit any third party or otherwise create any duty or obligation on behalf of PEC or OWNER in favor of such third parties.

IN WITNESS THEREOF, the Parties hereto have affixed their hand and seals at the City of Valley Center, Sedgwick County, Kansas on the date first written above.

OWNER

THE CITY OF VALLEY CENTER

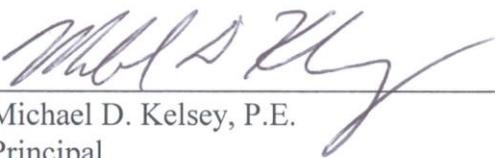
By: _____

Title: _____

ATTEST

ENGINEER

PROFESSIONAL ENGINEERING CONSULTANTS, P.A.

By:  _____
 Michael D. Kelsey, P.E.
 Principal

WITNESS

 _____

SCOPE OF SERVICES

The ENGINEER agrees to furnish and perform the various engineering and technical services for the PROJECT in accordance with the following provisions and the requirements of the City of Valley Center.

A. DESIGN PHASE SERVICES.

1. Obtain existing mapping of the area, including existing plat, aerial and parcel maps.
2. Establish the sanitary sewer alignment, and review with City Staff.
3. Perform topographic surveys of the PROJECT area, including establishing the horizontal and vertical control for the PROJECT.
4. Prepare easement descriptions and tract maps. Assist the City with easement negotiations as needed.
5. Perform hydraulic calculations for sizing of the sanitary sewer, and to provide to the Kansas Department of Health and Environment with the sewer extension permit.
6. Prepare plans and specifications for bidding the PROJECT.
7. Prepare an ENGINEERs estimate for the proposed improvements.
8. Distribute bid documents to prospective bidders.
9. Assist the City with bidding the PROJECT.

B. CONSTRUCTION PHASE SERVICES.

If requested by the OWNER, the ENGINEER shall provide services during the construction phase of the PROJECT for Contract Administration and/or Resident Engineering.

Construction Administration services for the PROJECT will include the review of submittals, conducting a preconstruction conference, attendance at periodic meetings,

review of change order and pay requests from the contractor, coordination with the City and the Resident Inspector, and attendance at the final inspection of the PROJECT.

Resident Engineering services (inspection) will include a full time representative on site during construction. The field representative will review construction activities to determine compliance with the contract documents, measure and check quantities for review of pay requests, maintain project records documenting work activities, prepare sketches and assist in resolving issues, review change order requests, and attend PROJECT meetings.

Construction phase services shall conclude with delivery of "Record" drawings to the OWNER. Unless otherwise noted in the Supplemental Agreement, the basis for the Record drawings will be information supplied by the Contractor. The ENGINEER shall not be responsible to verify the accuracy of the information furnished. Record drawings shall be tracing mark ups of copies of the 'original' final plan documents.

C. TIME OF PERFORMANCE.

The ENGINEER shall commence work on the design phase services for the PROJECT within seven (7) days following authorization by the OWNER to proceed and shall deliver final office check plans to the OWNER within 45 days; except that the ENGINEER shall not be responsible or held liable for delays occasioned by the action or inaction of the OWNER or other agencies.

Time of performance for the Construction Phase services will be based on the completion of the construction activities on the PROJECT.

D. EXCLUSIONS.

The following tasks, or design elements, are specifically excluded from the Scope of Services intended herein:

1. Special inspection services are not included in the scope of work, which may be required by building codes, building officials, or designers. Special inspections are a specific set of requirements that are generally not covered under standard inspection services. Special inspections are usually required for structural elements of the PROJECT but may include other design disciplines and testing agencies. Any special inspection services required will be covered under a separate or supplemental agreement.
2. Environmental assessments on the PROJECT.
3. Preparation of applications for any grant or loan funding.
4. Construction staking of the PROJECT.

NEW BUSINESS

B. CONSIDERATION of FIRE TRUCK BED BIDS:

- Emergency Fire Equipment
- Unruh Fire

Should Council choose to proceed,

RECOMMENDED ACTION:

Staff recommends motion to authorize the purchase of recommended fire truck bed as detailed in proposal.

From: Rob Tormey [mailto:safetyofficer@valleycenterks.org]
Sent: Thursday, February 11, 2010 1:33 PM
To: lsetsermaus@valleycenterks.org

Subject: Brush Truck Bids

We have received two bids for the equipment purchase that needs to be outfitted on the chassis of our new brush truck. Staff are recommending that the council approves the Unruh Fire bid of \$33,325.00.

Both bids included a flatbed, water tank, fire pump, booster reel with hose, storage compartments, and foam system.

EMERGENCY FIRE EQUIPMENT BID: \$39,196.00

UNRUH FIRE: \$33,325.00



DATE: 1-7-2010

Chief Lonnie Tormey
 Valley Center Fire Department
 616 E 5th
 Valley Center Ks, 67147
 firechief@valleycenterks.org

PH: 316-259-7778
 FAX:

1	8' aluminum flat bed body w/trunion, head ache rack w/lightbar mount, hose tray, 300 UPF poly tank, Hannay booster reel, Akron valves, Hale HPX200-B18 pump, Foam Pro 1601 foam system, 10 gallon foam cell	
	Whelen LED light package w/ Freedom series light bar, (2)100W speakers, front tow reciever, Warn 9.5 portable winch, (2) underbody tool boxes, aluminum console, NFPA ground lights, SS wheel sims, Nerf bar running boards, 200' 1" boost light hose	
	2.5" tank to pump, 2.5" intake, 1" tank fill, 1" booster, 1.5" discharge, 1" whip line	
	Delivery time is 30-45 days	
2	Top side aluminum boxes w/hinge up doors. 18D x 24T x 72W	\$1,525.00
	TOTAL PRICE	\$33,325.00

SPECIFICATIONS FOLLOWING

PRICE DOES NOT INCLUDE ANY APPLICABLE/FET TAXES
 F.O.B. SEDGWICK, KS
 NET UPON DELIVERY
 PRICE GOOD FOR 30 DAYS
 PRICE DOES NOT INCLUDE DELIVERY CHARGES

 TOM E. RICHARDSON

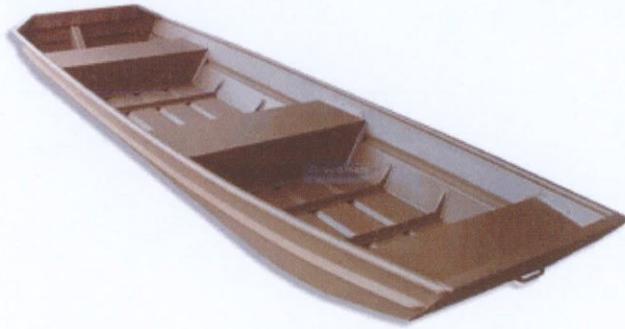
NEW BUSINESS

C. DISCUSSION of RESCUE BOAT:

RECOMMENDED ACTION:

Receive input from Fire Department and discuss options

RESCUE BOAT INFORMATION



14' 1432 Series Jon Boat

Length: 14'
Width: 46"
Depth: 14"
Bottom Width: 32"
Max Capacity: 430lbs
3 Person Capacity
Max HP: 7
Weight: 104lbs
Transom Height: 15.5
Aluminum: .051 ga.

\$819.00



14' Fishing boat trailer

Width: 56"
Width between fenders: 43"
Length: 15'6"
Weight: 240lbs
Capacity: 960lbs
Coupler(ball): 2"
One Year Limited Warranty
Click Images to Enlarge!

\$827.00



Briggs & Stratton 5HP 4-Stroke

\$748.00

Rescue Alive



Top of Form

Item# RESCUE-ALIVE
\$2,995.00

Bottom of Form

Product Description

Thin ice is a trap and every year hundreds of people fall into that trap. Victims have only minutes to help themselves because hypothermia quickly impairs a victim's ability to hold on to ice. It makes him shiver violently and clouds his thinking. As the victim's core temperature drops, he experiences disorientation and he becomes dangerous to the rescuers. This all happens within minutes of entering the water! Get the very best equipment for ice and cold water rescues. RESCUE ALIVE enables your rescuer to run over very thin ice by distributing his weight over a large surface or to paddle through open water to reach a victim quickly. The unit weighs 88 pounds and provides 600 pounds of flotation. The unit is deployed by releasing one Velcro™ strap, which is then used to tether the modified paddle.

Your rescuers stay out of the water; there is no need to crawl or swim to approach a victim. Rescuers remain on top of the surface, working from the stable platform. The rescuer stays in control of the victim.

Materials and Specifications

Pontoons Expanded polystyrene core with high density polyethylene covering

Pontoon Dimensions Width 23", Length 89", Thickness 6.25"

Assembly Frame Aircraft Angle Aluminum: .188" Thick

Guardrail Polyvinyl Chloride: 1.5" Inside Diameter

Victim Harness Polypropylene Webbing: Width 2", Length 52"

Storage Dimensions Width 14", Height 38", Length 89"

NEW BUSINESS

D. ESTABLISH COUNCIL WORKSHOP; FEBRUARY 23, 2010 at 7 P.M. to DISCUSS WATER & SEWER RATES:

Staff request Council to set date for Word Session to discuss
Water / Sewer rates with Rate Consultant.

NEW BUSINESS

E. PLANNED UNIT DEVELOPMENT (PUD) REQUEST:

Recreation Commission Additional Planned Unit Development

- Memo
- Ordinance 1194-10

Should Council choose to proceed,

RECOMMENDED ACTION:

Staff recommends motion to adopt Ordinance 1194-10 approving the Planned Unit Development for the Recreation Commission and waive first reading.

DATE: February 2, 2010

TO: Honorable Mayor McNown
City Council

FROM: Eldon G. Miller, AICP, CFM, Community Development Officer

RE: Case Z-2009-003 Planned Unit Development Request

Proposed Agenda Date: February 16, 2010

Background:

- The applicant wants to develop a sports complex on the property. The property has been vacant for years.
- The Planning Commission conducted the required Public Hearing on January 26, 2010, and notices thereof were published in the City newspaper and sent to nearby property owners.
- The Planning Commission recommended approval of this amendment by a 7-0 vote.

Financial Considerations:

- Approval of the proposed amendment will not result in additional city expenditures.
- Approval of the proposed amendment increases the recreational opportunities for the citizens, which will increase the number of people attending events within the city and increase sales tax from the people shopping in the city.

Legal Considerations:

- The applicant will have to submit a Site Plan of each phase for review and approval by the Site Plan Review Committee before they receive a zoning permit for the project.
- City Council will need to follow the following steps for the case:
 - Call Agenda Item
 - Ask if any council member intends to disqualify themselves from discussing and voting on this case.
 - Ask City Clerk if she received any protest petitions.
 - Summary of Hearing:
 - Included in the packet is the unapproved minutes of the January 26, 2010 Planning Commission meeting pertaining to the public hearing.

- Ask the public present for the case if they felt that they had a fair and impartial hearing.
- Ask for Zoning Administrator's report.
- Ask if applicant has any new information to present.
- Ask if the public has any new information to present.

Policy Considerations:

- The proposed rezoning is consistent with the City's Comprehensive Plan.
- No protest petition was filed within the prescribed 14-day protest period.

Recommendation:

1. Approve an ordinance approving the Planned Unit Development based on the findings of fact made by the Planning Commission, subjected to The R-2 Single-Family Residential District is modified to recognize a public recreation center and sports complex as the only permitted use, Submit a revised Preliminary PUD Plan with approved revisions to the Zoning Administrator for approval and Site Plan for each phase be submitted and approved by the Site Plan Review Committee and waive 1st reading.

VALLEY CENTER PLANNING COMMISSION/BOARD OF ZONING APPEALS
7:00 P.M.
JANUARY 26, 2009
121 S. MERIDIAN

Chairman Gary Janzen called the meeting to order at 7:00 p.m. with the following members present: Jaque Davis, John Dailey, Steve Jackson, Bryon Mackey, Danny Park, Kathryn Schroeder and Ricky Shellenbarger.

Members Absent: Bart Balthazar

Staff Present: Eldon G. Miller, AICP, CFM, Secretary
 C. Bickley Foster, Planning Consultant

Press: Chris Shrunk, Ark Valley News

APPROVAL OF THE AGENDA

Vice-Chairman Davis moved, seconded by Mackey to approve the agenda as presented. Vote Yea: Unanimous.

MINUTES OF December 10, 2009 SPECIAL MEETING and JANUARY 9, 2010 WORKSHOP

Commissioner Schroeder moved, seconded by Park to approve the minutes as presented. Vote Yea: Unanimous

COMMUNICATIONS

ITEMS BY ZONING ADMINISTRATOR

Commissioner Schroeder presented a plaque to recognize her 25 years of service on the Planning Commission by Joel Pile, City Administrator.

SUBDIVISION COMMITTEE REPORT

Vice-Chairman Davis moved, second by Park to accept and file the minutes. Vote Yea: Unanimous

SITE PLAN REVIEW COMMITTEE REPORT

Vice-Chairman Davis moved, second by Park to accept and file the minutes. Vote Yea: Unanimous

CONSENT AGENDA

None.

PUBLIC HEARING

ZONING CHANGE
Case No. Z-2009-003
Owner: Valley Center Recreation Commission

Agent: Rob Hartman, PEC P.A.

CALL TO ORDER:

At 7:08 p.m., Chairman Janzen called Agenda item #7A which is a public hearing on Case No. Z-2009-003. This is a request to establish the Valley Center Recreation Commission Addition Preliminary Planned Unit Development Plan..

DISQUALIFICATION DECLARED AND QUORUM DETERMINED:

There were no disqualifications.

NOTIFICATION:

According to the Secretary, a notice for this hearing was published in the Ark Valley News on December 31, 2009, and notices were mailed to the applicant and 10 real property owners of record in the area of notification on January 5, 2010. Unless there is evidence to the contrary from anyone present, I'll declare that proper notification has been given in order for the Planning Commission to hear the case.

EX PARTE COMMUNICATIONS:

None

ZONING ADMINISTRATOR'S REPORT:

Zoning Administrator, Eldon G. Miller, AICP, CFM, provided a brief factual background report on the case.

APPLICANT'S REQUEST:

Rob Hartman, PEC P.A., stated that Phase 1 will be the ball field east of Emporia, parking on Emporia, soccer fields and large ball field. Address all comments. Drainage and grading plan for the site is that the east side will go to the ditch and the south to the pond. Vice-Chairman Davis asked if the fields will be grass. Steve Geddes stated yes.

PUBLIC COMMENTS:

None.

WRITTEN COMMUNICATIONS:

None.

APPLICANT'S RESPONSE TO PUBLIC COMMENT:

None.

CLOSE THE HEARING:

Hearing no further public comments, I, Chairman Janzen, hereby close the public hearing at 7:29p.m. There will be no further public comments unless the Planning Commission wishes to ask questions to clarify information.

1. ***What is the character of the subject property and the surrounding neighborhood in relation to existing uses and their condition?***
The property is located just north of 5th Street on Emporia and is presently a vacant lot. To the south is the City of Valley Center drainage pond and Public Safety Building, to the west is McLaughlin Park and Valley Center High School and ball fields, to the north is vacant land owned by the School District and to the east is the Pierpoint Tree Farm and Drainage Ditch.
2. ***What is the current zoning of the subject property and that of the surrounding neighborhood in relation to the requested change?***
The subject property is zoned R-2 Single-Family Residential District. The property to the north and south and west is zoned R-2 Single-Family Residential District. The property to the east is zoned Sedgwick County RR Rural Residential District.
3. ***Is the length of time that the subject property has remained undeveloped or vacant as zoned a factor in the consideration?***
Not a consideration.
4. ***Would the request correct an error in the application of these regulations?***
Not applicable.
5. ***Is the request caused by changed or changing conditions in the area of the subject property and, if so, what is the nature and significance of such changed or changing conditions?***
The applicant ready to start the construction on the recreation complex.
6. ***Do adequate sewage disposal and water supply and all other necessary public facilities including street access exist or can they be provided to serve the uses that would be permitted on the subject property?***
The property is being developed as a Planned Unit Development. The Plan will give street access and utility easements. Water and sewer will be extended through the complex.
7. ***Would the subject property need to be platted or replatted or in lieu of dedications made for rights-of-way, easements, access control or building setback lines?***
Final Plan will have all this included and be recorded.
8. ***Would a screening plan be necessary for existing and/or potential uses of the subject property?***
A screening plan will have to be included in the site plan to be submitted to the Site Plan Review Committee.
9. ***Is suitable vacant land or buildings available or not available for development that currently has the same zoning as is requested?***
The present recreation fields are full during their session and this Plan will create more recreation opportunities for the citizens.
10. ***If the requested is for business or industrial uses, are such uses needed to provide more services or employment opportunities?***

The proposed Plan will provide more recreation services to the citizens of Valley Center.

11. ***Is the subject property suitable for the uses in the current zoning to which it has been restricted?***
Yes. It is vacant land and a residence could be built on it.
12. ***To what extent would the removal of the restrictions, i.e., the approval of the zoning request detrimentally affect other property in the neighborhood?***
The zoning change will have an effect upon the neighborhood by increased traffic on Emporia north of 5th Street. However, by opening Emporia north of 5th Street it will in the future help reduce traffic on Meridian.
13. ***Would the request be consistent with the purpose of the zoning district classification and the intent and purpose of these regulations?***
The request is a special use in the R-2 Single-Family Residential District.
14. ***Is the request in conformance with the Comprehensive Plan and does it further enhance the implementation of the Plan?***
In Chapter 8, Land Use Plan, of the *Valley Center, Kansas Comprehensive Development Plan 2007 - 2013*, The Future Land Use Map designates this area public land and also in Chapter 11 discusses the complex. The Park System Master Plan discusses the Sports Complex. In the 93rd and Meridian Neighborhood Plan, the future land use map shows the property as a sports complex.
15. ***What is the nature of the support or opposition of the request?***
No one spoke in opposition to the request.
16. ***Is there any informational or recommendations on this request which would be helpful in its evaluation?***
None.
17. ***By comparison, does the relative gain to the public health, safety and general welfare outweigh the loss in value or the hardship imposed upon the applicant by not approving the requested change in zoning?***
The gains to the public would be nil by not approving the requested zone change, however, the loss to the applicant is due to the difficulty of finding proper sites for a sports complex.

SAMPLE MOTIONS:

Having considered the evidence at the hearing and the factors to evaluate the request, I Gary Janzen, move that we recommend to the Governing Body that Case No. Z 2009 - 003 be approved to establish Valley Center Recreation Commission Addition Preliminary Planned Unit Development Plan based on the findings of the Planning Commission as recorded in the Rezoning Report and subject to the conditions listed therein.

Motion seconded by Shellenbarger.

CONDITIONS:

2. Submit a revised Preliminary PUD Plan with approved revisions to the Subdivision Administrator.
3. Site Plan: A site plan must be submitted to the Site Plan Review Committee for approval prior to the issuing of a zoning permit.

Vote Yea: Unanimous.

The meeting was adjourned at 7:47 p.m.

Respectfully submitted,

Eldon G. Miller, AICP, CFM, Secretary

Approved by the Valley Center Planning Commission on February 23, 2010.

Gary Janzen, Chairman

ORDINANCE NO. 1194-10

AN ORDINANCE ESTABLISHING THE ZONING DISTRICT CLASSIFICATION OF CERTAIN LANDS BY ADDING AN OVERLAY DISTRICT KNOWN AS THE VALLEY CENTER RECREATION COMMISSION ADDITION PLANNED UNIT DEVELOPMENT DISTRICT AND APPROVING THE PRELIMINARY VALLEY CENTER RECREATION COMMISSION PLAN UNIT ADDITION DEVELOPMENT PLAN, LOCATED IN THE CITY OF VALLEY CENTER, KANSAS, UNDER THE AUTHORITY GRANTED BY THE ZONING REGULATIONS OF THE CITY AS ORIGINALLY APPROVED BY ORDINANCE No.1151-07.

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF VALLEY CENTER, KANSAS:

SECTION 1. Having received the report and recommendation from the Valley Center City Planning Commission on Case No. Z-2009-003, and proper notice having been given and hearing held on January 26, 2010 as prescribed by law and under authority and subject to the provisions of the Zoning Regulations of the City of Valley Center as originally approved by Ordinance No.1151-07, the zoning district classifications of the land legally described as follows is hereby amended to establish the Valley Center Recreation Commission Addition Planned Unit Development District as an overlay district to the existing R-2 Single-Family Residential District and the Preliminary Valley Center Recreation Commission Addition Planned Unit Development Plan is approved.

Legal Description: A tract of land in the Southwest 1/4, Section 30, Township 25 South, Range 1 East of the 6th P.M., Sedgwick County, Kansas described as:

Commencing at the Northwest corner of the Southwest 1/4, Section 30, T25S, R1E, of the 6th P.M., thence bearing S87°54'36"E, along the North line of said Southwest 1/4, a distance of 2474.25 feet to the West line of the Wichita Valley Center Floodway described on Deed Book 1280, Page 313; thence bearing S00°16'45"E, along the West line of said Wichita Valley Center Floodway, a distance of 555.00 feet to the Point of Beginning; thence continuing bearing S00°16'45"E, along said West line, a distance of 770.95 feet to the North line of the South Half of the Southwest 1/4, Section 30; thence bearing N87°50'30"W, along the North line of said South Half, a distance of 4.92 feet to the West line of the Wichita Valley Center Floodway described on Deed Book 1284, Page 348; thence bearing S00°16'33"E, along said Wichita Valley Center Floodway, a distance of 662.97 feet to the South line of the North half of the South half of the Southwest Quarter of Section 30; thence bearing N87°48'27"W, a distance of 669.62 feet; thence bearing N02°02'00"E, a distance of 661.98 feet to a point that is on the North line of the South half of the Southwest Quarter; said point is 1833.00 feet East of the Northwest corner of the South half of the Southwest Quarter; thence bearing N87°50'30"W, along the North line of the South half of the Southwest Quarter, a distance of 547.55 feet to the West line of the Northeast Quarter of the Southwest Quarter of Section 30; thence bearing N00°08'23"W, along the West line of the Northeast Quarter of the Southwest Quarter, a distance of 759.01 feet; thence bearing N89°43'15"E, a distance

of 386.27 feet; thence bearing S45°16'45"E, a distance of 145.00 feet; thence bearing N89°43'15"E, a distance of 270.00 feet; thence bearing N44°43'15"E, a distance of 90.00 feet; thence bearing N89°43'15"E, a distance of 370.00 feet to the point of beginning.

General Location: 28.55 acres north of 5th Street on Emporia.

The Valley Center Recreation Commission Addition Planned Unit Development District hereby created is subject to all the provisions for the approved Preliminary Valley Center Recreation Commission Addition Planned Unit Development (PUD) Plan which is on file with the Zoning Administrator and the permitted modifications from the R-2 Single-Family Residential District and other requirements are as follows:

1. The R-2 Single-Family Residential District is modified to recognize a public recreation center and sports complex as the only permitted use.
2. Submit a revised Preliminary PUD Plan with approved revisions to the Zoning Administrator for approval.
3. A site plan must be submitted to the Site Plan Review Committee for approval prior to the issuing of a zoning permit for any applicable development.

SECTION 2. Upon the taking effect of this Ordinance, the above zoning change shall be entered and shown on the Official Zoning Map(s) as previously adopted by reference and said map(s) is hereby reincorporated as a part of the Zoning Regulations as amended and the applicant within 15 days of publication of this Ordinance shall file a statement with the County Register of Deeds with all the information required by Section 4-113E2.

SECTION 3. This ordinance shall take effect and be in force from and after its passage, approval and publication once in the official city newspaper.

PASSED by the Governing Body and approved by the Mayor of the City of Valley Center, Kansas, on this 16th day of February 2010.

First Reading: Waived
Second Reading: February 16, 2010

MICHAEL D. MCNOWN, Mayor

ATTEST:

KRISTINE A. POLIAN, City Clerk

CONSENT AGENDA

- A. REVENUE and EXPENSE FINANCIAL SUMMARIES for JANUARY 2010:**

- B. FIRE PROTECTION AGREEMENTS:**

- C. REPORT of ANIMAL SHELTER USAGE:**

RECOMMENDED ACTION:

Staff recommends motion to approve the Consent Agenda as presented.

CONSENT AGENDA

A. REVENUE and EXPENSE FINANCIAL SUMMARIES for JANUARY 2010:

- ***GENERAL FUND***
- ***EMPLOYEE BENEFITS FUND***
- ***LIBRARY***
- ***SPECIAL HIGHWAY***
- ***EMERGENCY EQUIPMENT RESERVE***
- ***BOND AND INTEREST***
- ***WATER OPERATING***
- ***STORMWATER OPERATING***
- ***SEWER OPERATING***

2-04-2010 10:19 AM

CITY OF VALLEY CENTER
REVENUE & EXPENSE REPORT (UNAUDITED)
AS OF: JANUARY 31ST, 2010

PAGE: 1

010-GENERAL FUND
FINANCIAL SUMMARY

	CURRENT BUDGET	CURRENT PERIOD	PRIOR YEAR PO ADJUST.	Y-T-D ACTUAL	Y-T-D ENCUMBRANCE	BUDGET BALANCE	% OF BUDGET
<u>REVENUE SUMMARY</u>							
TAXES	1,296,543.00	467,659.27	0.00	467,659.27	0.00	828,883.73	36.07
INTERGOVERNMENTAL	443,650.00	36,728.70	0.00	36,728.70	0.00	406,921.30	8.28
LICENSES & PERMITS	532,100.00	22,493.74	0.00	22,493.74	0.00	509,606.26	4.23
CHARGES FOR SERVICES	6,900.00	5,270.00	0.00	5,270.00	0.00	1,630.00	76.38
FINES & FORFEITURES	49,000.00	5,220.01	0.00	5,220.01	0.00	43,779.99	10.65
USE OF MONEY & PROPERTY	20,000.00	785.00	0.00	785.00	0.00	19,215.00	3.93
OTHER REVENUES	34,936.00	26,055.65	0.00	26,055.65	0.00	8,880.35	74.58
MISCELLANEOUS	96,480.00	0.00	0.00	0.00	0.00	96,480.00	0.00
MISCELLANEOUS	0.00	0.00	0.00	0.00	0.00	0.00	0.00
TOTAL REVENUES	2,479,609.00	564,212.37	0.00	564,212.37	0.00	1,915,396.63	22.75
<u>EXPENDITURE SUMMARY</u>							
<u>ADMINISTRATION</u>							
PERSONNEL SERV. & BENEF.	218,720.00	18,182.41	0.00	18,182.41	0.00	200,537.59	8.31
CONTRACTUAL SERVICES	109,900.00	3,899.84	0.00	3,899.84	6.00	105,994.16	3.55
COMMODITIES	11,900.00	0.00	0.00	0.00	0.00	11,900.00	0.00
CAPITAL OUTLAY	11,150.00	0.00	0.00	0.00	0.00	11,150.00	0.00
OTHER COSTS/MISC.	458,000.00	290.00	0.00	290.00	0.00	457,710.00	0.06
DEBT SERVICE	0.00	0.00	0.00	0.00	0.00	0.00	0.00
MISCELLANEOUS	0.00	0.00	0.00	0.00	0.00	0.00	0.00
TOTAL ADMINISTRATION	809,670.00	22,372.25	0.00	22,372.25	6.00	787,291.75	2.76
<u>LEGAL & MUNICIPAL COURT</u>							
PERSONNEL SERV. & BENEF.	60,810.00	5,003.88	0.00	5,003.88	0.00	55,806.12	8.23
CONTRACTUAL SERVICES	8,760.00	33.27	0.00	33.27	5.43	8,721.30	0.44
COMMODITIES	850.00	0.00	0.00	0.00	0.00	850.00	0.00
CAPITAL OUTLAY	0.00	0.00	0.00	0.00	0.00	0.00	0.00
OTHER COSTS/MISC.	28,000.00	0.00	0.00	0.00	0.00	28,000.00	0.00
DEBT SERVICE	0.00	0.00	0.00	0.00	0.00	0.00	0.00
MISCELLANEOUS	0.00	0.00	0.00	0.00	0.00	0.00	0.00
TOTAL LEGAL & MUNICIPAL COURT	98,420.00	5,037.15	0.00	5,037.15	5.43	93,377.42	5.12
<u>COMMUNITY DEVELOPMENT</u>							
PERSONNEL SERV. & BENEF.	81,195.00	6,230.59	0.00	6,230.59	0.00	74,964.41	7.67
CONTRACTUAL SERVICES	35,990.00	88.92	0.00	88.92	0.00	35,901.08	0.25
COMMODITIES	5,700.00	0.00	0.00	0.00	0.00	5,700.00	0.00
CAPITAL OUTLAY	0.00	0.00	0.00	0.00	0.00	0.00	0.00
OTHER COSTS/MISC.	0.00	0.00	0.00	0.00	0.00	0.00	0.00
DEBT SERVICE	0.00	0.00	0.00	0.00	0.00	0.00	0.00
MISCELLANEOUS	0.00	0.00	0.00	0.00	0.00	0.00	0.00
TOTAL COMMUNITY DEVELOPMENT	122,885.00	6,319.51	0.00	6,319.51	0.00	116,565.49	5.14

2-04-2010 10:19 AM

CITY OF VALLEY CENTER
REVENUE & EXPENSE REPORT (UNAUDITED)
AS OF: JANUARY 31ST, 2010

PAGE: 2

010-GENERAL FUND
FINANCIAL SUMMARY

	CURRENT BUDGET	CURRENT PERIOD	PRIOR YEAR PO ADJUST.	Y-T-D ACTUAL	Y-T-D ENCUMBRANCE	BUDGET BALANCE	% OF BUDGET
<u>POLICE</u>							
PERSONNEL SERV. & BENEF.	501,931.00	37,013.96	0.00	37,013.96	0.00	464,917.04	7.37
CONTRACTUAL SERVICES	56,000.00	450.38	0.00	450.38	38.15	55,511.47	0.87
COMMODITIES	31,000.00	13.29	0.00	13.29	0.00	30,986.71	0.04
CAPITAL OUTLAY	42,230.00	0.00	0.00	0.00	0.00	42,230.00	0.00
OTHER COSTS/MISC.	0.00	0.00	0.00	0.00	0.00	0.00	0.00
DEBT SERVICE	0.00	0.00	0.00	0.00	0.00	0.00	0.00
MISCELLANEOUS	0.00	0.00	0.00	0.00	0.00	0.00	0.00
TOTAL POLICE	631,161.00	37,477.63	0.00	37,477.63	38.15	593,645.22	5.94
<u>FIRE</u>							
PERSONNEL SERV. & BENEF.	106,294.00	7,673.30	0.00	7,673.30	0.00	98,620.70	7.22
CONTRACTUAL SERVICES	35,610.00	1,326.42	0.00	1,326.42	0.00	34,283.58	3.72
COMMODITIES	8,400.00	19.22	0.00	19.22	0.00	8,380.78	0.23
CAPITAL OUTLAY	19,000.00	0.00	0.00	0.00	0.00	19,000.00	0.00
OTHER COSTS/MISC.	1,000.00	0.00	0.00	0.00	0.00	1,000.00	0.00
DEBT SERVICE	0.00	0.00	0.00	0.00	0.00	0.00	0.00
MISCELLANEOUS	0.00	0.00	0.00	0.00	0.00	0.00	0.00
TOTAL FIRE	170,304.00	9,018.94	0.00	9,018.94	0.00	161,285.06	5.30
<u>EMERGENCY COMMUNICATIONS</u>							
PERSONNEL SERV. & BENEF.	153,488.00	8,623.75	0.00	8,623.75	0.00	144,864.25	5.62
CONTRACTUAL SERVICES	16,660.00	45.48	0.00	45.48	5.42	16,609.10	0.31
COMMODITIES	680.00	0.00	0.00	0.00	0.00	680.00	0.00
CAPITAL OUTLAY	4,150.00	0.00	0.00	0.00	0.00	4,150.00	0.00
OTHER COSTS/MISC.	0.00	0.00	0.00	0.00	0.00	0.00	0.00
DEBT SERVICE	0.00	0.00	0.00	0.00	0.00	0.00	0.00
MISCELLANEOUS	0.00	0.00	0.00	0.00	0.00	0.00	0.00
TOTAL EMERGENCY COMMUNICATIONS	174,978.00	8,669.23	0.00	8,669.23	5.42	166,303.35	4.96
<u>STREET</u>							
PERSONNEL SERV. & BENEF.	0.00	0.00	0.00	0.00	0.00	0.00	0.00
CONTRACTUAL SERVICES	0.00	0.00	0.00	0.00	0.00	0.00	0.00
COMMODITIES	0.00	0.00	0.00	0.00	0.00	0.00	0.00
CAPITAL OUTLAY	0.00	0.00	0.00	0.00	0.00	0.00	0.00
OTHER COSTS/MISC.	0.00	0.00	0.00	0.00	0.00	0.00	0.00
DEBT SERVICE	0.00	0.00	0.00	0.00	0.00	0.00	0.00
MISCELLANEOUS	0.00	0.00	0.00	0.00	0.00	0.00	0.00
TOTAL STREET	0.00	0.00	0.00	0.00	0.00	0.00	0.00
<u>COMMUNITY BUILDING</u>							
PERSONNEL SERV. & BENEF.	6,500.00	0.00	0.00	0.00	0.00	6,500.00	0.00
CONTRACTUAL SERVICES	7,920.00	70.44	0.00	70.44	0.00	7,849.56	0.89
COMMODITIES	1,100.00	0.00	0.00	0.00	0.00	1,100.00	0.00
CAPITAL OUTLAY	0.00	0.00	0.00	0.00	0.00	0.00	0.00
OTHER COSTS/MISC.	0.00	0.00	0.00	0.00	0.00	0.00	0.00
DEBT SERVICE	0.00	0.00	0.00	0.00	0.00	0.00	0.00
MISCELLANEOUS	0.00	0.00	0.00	0.00	0.00	0.00	0.00
TOTAL COMMUNITY BUILDING	15,520.00	70.44	0.00	70.44	0.00	15,449.56	0.45

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CITY OF VALLEY CENTER
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010-GENERAL FUND
FINANCIAL SUMMARY

	CURRENT BUDGET	CURRENT PERIOD	PRIOR YEAR PO ADJUST.	Y-T-D ACTUAL	Y-T-D ENCUMBRANCE	BUDGET BALANCE	% OF BUDGET
<u>SWIMMING POOL</u>							
PERSONNEL SERV. & BENEF.	0.00	0.00	0.00	0.00	0.00	0.00	0.00
CONTRACTUAL SERVICES	28,320.00	0.00	0.00	0.00	0.00	28,320.00	0.00
COMMODITIES	5,500.00	0.00	0.00	0.00	0.00	5,500.00	0.00
CAPITAL OUTLAY	10,000.00	0.00	0.00	0.00	5,604.79	4,395.21	56.05
OTHER COSTS/MISC.	0.00	0.00	0.00	0.00	0.00	0.00	0.00
DEBT SERVICE	0.00	0.00	0.00	0.00	0.00	0.00	0.00
MISCELLANEOUS	0.00	0.00	0.00	0.00	0.00	0.00	0.00
TOTAL SWIMMING POOL	43,820.00	0.00	0.00	0.00	5,604.79	38,215.21	12.79
<u>PARKS AND PUBLIC GROUNDS</u>							
PERSONNEL SERV. & BENEF.	115,595.00	7,423.06	0.00	7,423.06	0.00	108,171.94	6.42
CONTRACTUAL SERVICES	51,130.00	53.60	0.00	53.60	0.00	51,076.40	0.10
COMMODITIES	14,400.00	10.75	0.00	10.75	0.00	14,389.25	0.07
CAPITAL OUTLAY	59,500.00	0.00	0.00	0.00	0.00	59,500.00	0.00
OTHER COSTS/MISC.	19,700.00	0.00	0.00	0.00	0.00	19,700.00	0.00
DEBT SERVICE	0.00	0.00	0.00	0.00	0.00	0.00	0.00
MISCELLANEOUS	0.00	0.00	0.00	0.00	0.00	0.00	0.00
TOTAL PARKS AND PUBLIC GROUNDS	260,325.00	7,487.41	0.00	7,487.41	0.00	252,837.59	2.88
<u>ENVIRONMENTAL SERVICES</u>							
PERSONNEL SERV. & BENEF.	0.00	0.00	0.00	0.00	0.00	0.00	0.00
CONTRACTUAL SERVICES	0.00	0.00	0.00	0.00	0.00	0.00	0.00
COMMODITIES	0.00	0.00	0.00	0.00	0.00	0.00	0.00
CAPITAL OUTLAY	0.00	0.00	0.00	0.00	0.00	0.00	0.00
OTHER COSTS/MISC.	0.00	0.00	0.00	0.00	0.00	0.00	0.00
DEBT SERVICE	0.00	0.00	0.00	0.00	0.00	0.00	0.00
MISCELLANEOUS	0.00	0.00	0.00	0.00	0.00	0.00	0.00
TOTAL ENVIRONMENTAL SERVICES	0.00	0.00	0.00	0.00	0.00	0.00	0.00
<u>PUBLIC BUILDING</u>							
PERSONNEL SERV. & BENEF.	30,066.00	2,404.84	0.00	2,404.84	0.00	27,661.16	8.00
CONTRACTUAL SERVICES	25,960.00	44.68	0.00	44.68	0.00	25,915.32	0.17
COMMODITIES	7,500.00	0.00	0.00	0.00	0.00	7,500.00	0.00
CAPITAL OUTLAY	80,000.00	0.00	0.00	0.00	0.00	80,000.00	0.00
OTHER COSTS/MISC.	0.00	0.00	0.00	0.00	0.00	0.00	0.00
DEBT SERVICE	0.00	0.00	0.00	0.00	0.00	0.00	0.00
MISCELLANEOUS	0.00	0.00	0.00	0.00	0.00	0.00	0.00
TOTAL PUBLIC BUILDING	143,526.00	2,449.52	0.00	2,449.52	0.00	141,076.48	1.71
<u>CEMETERY</u>							
PERSONNEL SERV. & BENEF.	1,200.00	0.00	0.00	0.00	0.00	1,200.00	0.00
CONTRACTUAL SERVICES	5,200.00	0.00	0.00	0.00	0.00	5,200.00	0.00
COMMODITIES	2,600.00	0.00	0.00	0.00	0.00	2,600.00	0.00
CAPITAL OUTLAY	0.00	0.00	0.00	0.00	0.00	0.00	0.00
OTHER COSTS/MISC.	0.00	0.00	0.00	0.00	0.00	0.00	0.00
DEBT SERVICE	0.00	0.00	0.00	0.00	0.00	0.00	0.00
MISCELLANEOUS	0.00	0.00	0.00	0.00	0.00	0.00	0.00
TOTAL CEMETERY	9,000.00	0.00	0.00	0.00	0.00	9,000.00	0.00

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010-GENERAL FUND
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	CURRENT BUDGET	CURRENT PERIOD	PRIOR YEAR PO ADJUST.	Y-T-D ACTUAL	Y-T-D ENCUMBRANCE	BUDGET BALANCE	% OF BUDGET
TOTAL EXPENDITURES	2,479,609.00	98,902.08	0.00	98,902.08	5,659.79	2,375,047.13	4.22
** REVENUE OVER(UNDER) EXPENDITURES **	0.00	465,310.29	0.00	465,310.29 (	5,659.79)(	459,650.50	0.00
OTHER FINANCING (USES)	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>
NET OTHER SOURCES/(USES)	0.00		0.00	0.00	0.00	0.00	0.00
REVENUE & OTHER SOURCES OVER/ (UNDER) EXPENDITURES & OTHER (USES)	0.00	465,310.29	0.00	465,310.29 (5,659.79)(459,650.50	0.00

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CITY OF VALLEY CENTER
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110-EMPLOYEE BENEFITS
 FINANCIAL SUMMARY

	CURRENT BUDGET	CURRENT PERIOD	PRIOR YEAR PO ADJUST.	Y-T-D ACTUAL	Y-T-D ENCUMBRANCE	BUDGET BALANCE	% OF BUDGET
<u>REVENUE SUMMARY</u>							
TAXES	521,670.00	270,927.39	0.00	270,927.39	0.00	250,742.61	51.93
USE OF MONEY & PROPERTY	0.00	0.00	0.00	0.00	0.00	0.00	0.00
OTHER REVENUES	17,000.00	0.00	0.00	0.00	0.00	17,000.00	0.00
MISCELLANEOUS	0.00	0.00	0.00	0.00	0.00	0.00	0.00
MISCELLANEOUS	0.00	0.00	0.00	0.00	0.00	0.00	0.00

TOTAL REVENUES	538,670.00	270,927.39	0.00	270,927.39	0.00	267,742.61	50.30
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EXPENDITURE SUMMARY

NON-DEPARTMENTAL

PERSONNEL SERV. & BENEF.	529,020.00	74,822.12	0.00	74,822.12	0.00	454,197.88	14.14
CONTRACTUAL SERVICES	0.00	0.00	0.00	0.00	0.00	0.00	0.00
COMMODITIES	0.00	0.00	0.00	0.00	0.00	0.00	0.00
CAPITAL OUTLAY	0.00	0.00	0.00	0.00	0.00	0.00	0.00
OTHER COSTS/MISC.	26,450.00	0.00	0.00	0.00	0.00	26,450.00	0.00
DEBT SERVICE	0.00	0.00	0.00	0.00	0.00	0.00	0.00
MISCELLANEOUS	0.00	0.00	0.00	0.00	0.00	0.00	0.00
TOTAL NON-DEPARTMENTAL	555,470.00	74,822.12	0.00	74,822.12	0.00	480,647.88	13.47

ADMINISTRATION

PERSONNEL SERV. & BENEF.	0.00	0.00	0.00	0.00	0.00	0.00	0.00
CONTRACTUAL SERVICES	0.00	0.00	0.00	0.00	0.00	0.00	0.00
COMMODITIES	0.00	0.00	0.00	0.00	0.00	0.00	0.00
CAPITAL OUTLAY	0.00	0.00	0.00	0.00	0.00	0.00	0.00
OTHER COSTS/MISC.	0.00	0.00	0.00	0.00	0.00	0.00	0.00
DEBT SERVICE	0.00	0.00	0.00	0.00	0.00	0.00	0.00
MISCELLANEOUS	0.00	0.00	0.00	0.00	0.00	0.00	0.00
TOTAL ADMINISTRATION	0.00	0.00	0.00	0.00	0.00	0.00	0.00

TOTAL EXPENDITURES	555,470.00	74,822.12	0.00	74,822.12	0.00	480,647.88	13.47
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** REVENUE OVER (UNDER) EXPENDITURES *	(16,800.00)	196,105.27	0.00	196,105.27	0.00	(212,905.27)	167.29-
OTHER FINANCING (USES)	0.00	0.00	0.00	0.00	0.00	0.00	0.00
NET OTHER SOURCES / (USES)	0.00		0.00	0.00	0.00	0.00	0.00

REVENUE & OTHER SOURCES OVER / (UNDER) EXPENDITURES & OTHER (USES)	(16,800.00)	196,105.27	0.00	196,105.27	0.00	(212,905.27)	167.29-
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CITY OF VALLEY CENTER
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140-LIBRARY
 FINANCIAL SUMMARY

	CURRENT BUDGET	CURRENT PERIOD	PRIOR YEAR PO ADJUST.	Y-T-D ACTUAL	Y-T-D ENCUMBRANCE	BUDGET BALANCE	% OF BUDGET
<u>REVENUE SUMMARY</u>							
TAXES	216,300.00	104,569.54	0.00	104,569.54	0.00	111,730.46	48.34
USE OF MONEY & PROPERTY	0.00	0.00	0.00	0.00	0.00	0.00	0.00
TOTAL REVENUES	216,300.00	104,569.54	0.00	104,569.54	0.00	111,730.46	48.34
<u>EXPENDITURE SUMMARY</u>							
<u>NON-DEPARTMENTAL</u>							
OTHER COSTS/MISC.	216,300.00	0.00	0.00	0.00	0.00	216,300.00	0.00
DEBT SERVICE	0.00	0.00	0.00	0.00	0.00	0.00	0.00
MISCELLANEOUS	0.00	0.00	0.00	0.00	0.00	0.00	0.00
TOTAL NON-DEPARTMENTAL	216,300.00	0.00	0.00	0.00	0.00	216,300.00	0.00
<u>ADMINISTRATION</u>							
CAPITAL OUTLAY	0.00	0.00	0.00	0.00	0.00	0.00	0.00
OTHER COSTS/MISC.	0.00	0.00	0.00	0.00	0.00	0.00	0.00
DEBT SERVICE	0.00	0.00	0.00	0.00	0.00	0.00	0.00
MISCELLANEOUS	0.00	0.00	0.00	0.00	0.00	0.00	0.00
TOTAL ADMINISTRATION	0.00	0.00	0.00	0.00	0.00	0.00	0.00
TOTAL EXPENDITURES	216,300.00	0.00	0.00	0.00	0.00	216,300.00	0.00
** REVENUE OVER(UNDER) EXPENDITURES **	0.00	104,569.54	0.00	104,569.54	0.00	(104,569.54	0.00
OTHER FINANCING (USES)	0.00	0.00	0.00	0.00	0.00	0.00	0.00
NET OTHER SOURCES/(USES)	0.00		0.00	0.00	0.00	0.00	0.00
REVENUE & OTHER SOURCES OVER/ (UNDER) EXPENDITURES & OTHER (USES)	0.00	104,569.54	0.00	104,569.54	0.00	(104,569.54	0.00

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CITY OF VALLEY CENTER
 REVENUE & EXPENSE REPORT (UNAUDITED)
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150-SPECIAL HIGHWAY
 FINANCIAL SUMMARY

	CURRENT BUDGET	CURRENT PERIOD	PRIOR YEAR PO ADJUST.	Y-T-D ACTUAL	Y-T-D ENCUMBRANCE	BUDGET BALANCE	% OF BUDGET
<u>REVENUE SUMMARY</u>							
TAXES	0.00	0.00	0.00	0.00	0.00	0.00	0.00
INTERGOVERNMENTAL	707,800.00	81,489.28	0.00	81,489.28	0.00	626,310.72	11.51
USE OF MONEY & PROPERTY	1,609.00	0.00	0.00	0.00	0.00	1,609.00	0.00
OTHER REVENUES	0.00	0.00	0.00	0.00	0.00	0.00	0.00
MISCELLANEOUS	0.00	0.00	0.00	0.00	0.00	0.00	0.00
TOTAL REVENUES	709,409.00	81,489.28	0.00	81,489.28	0.00	627,919.72	11.49
<u>EXPENDITURE SUMMARY</u>							
<u>NON-DEPARTMENTAL</u>							
PERSONNEL SERV. & BENEF.	190,171.00	26,067.11	0.00	26,067.11	0.00	164,103.89	13.71
CONTRACTUAL SERVICES	47,500.00	33.15	0.00	33.15	0.00	47,466.85	0.07
COMMODITIES	81,100.00	0.00	0.00	0.00	0.00	81,100.00	0.00
CAPITAL OUTLAY	377,808.00	0.00	0.00	0.00	0.00	377,808.00	0.00
OTHER COSTS/MISC.	99,360.00	0.00	0.00	0.00	0.00	99,360.00	0.00
DEBT SERVICE	0.00	0.00	0.00	0.00	0.00	0.00	0.00
MISCELLANEOUS	0.00	0.00	0.00	0.00	0.00	0.00	0.00
TOTAL NON-DEPARTMENTAL	795,939.00	26,100.26	0.00	26,100.26	0.00	769,838.74	3.28
TOTAL EXPENDITURES	795,939.00	26,100.26	0.00	26,100.26	0.00	769,838.74	3.28
** REVENUE OVER(UNDER) EXPENDITURES *(	86,530.00)	55,389.02	0.00	55,389.02	0.00	(141,919.02	64.01-
OTHER FINANCING (USES)	0.00	0.00	0.00	0.00	0.00	0.00	0.00
NET OTHER SOURCES/(USES)	0.00	0.00	0.00	0.00	0.00	0.00	0.00
REVENUE & OTHER SOURCES OVER/ (UNDER) EXPENDITURES & OTHER (USES) (86,530.00)	55,389.02	0.00	55,389.02	0.00	(141,919.02	64.01-

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160-EMERGENCY EQUIPMENT
 FINANCIAL SUMMARY

	CURRENT BUDGET	CURRENT PERIOD	PRIOR YEAR PO ADJUST.	Y-T-D ACTUAL	Y-T-D ENCUMBRANCE	BUDGET BALANCE	% OF BUDGET
<u>REVENUE SUMMARY</u>							
TAXES	48,010.00	23,229.34	0.00	23,229.34	0.00	24,780.66	48.38
OTHER REVENUES	0.00	0.00	0.00	0.00	0.00	0.00	0.00
TOTAL REVENUES	48,010.00	23,229.34	0.00	23,229.34	0.00	24,780.66	48.38
<u>EXPENDITURE SUMMARY</u>							
<u>NON-DEPARTMENTAL</u>							
CAPITAL OUTLAY	117,670.00	0.00	0.00	0.00	0.00	117,670.00	0.00
OTHER COSTS/MISC.	0.00	0.00	0.00	0.00	0.00	0.00	0.00
DEBT SERVICE	0.00	0.00	0.00	0.00	0.00	0.00	0.00
MISCELLANEOUS	0.00	0.00	0.00	0.00	0.00	0.00	0.00
TOTAL NON-DEPARTMENTAL	117,670.00	0.00	0.00	0.00	0.00	117,670.00	0.00
TOTAL EXPENDITURES	117,670.00	0.00	0.00	0.00	0.00	117,670.00	0.00
** REVENUE OVER (UNDER) EXPENDITURES *	69,660.00	23,229.34	0.00	23,229.34	0.00	92,889.34	33.35-
OTHER FINANCING (USES)	0.00	0.00	0.00	0.00	0.00	0.00	0.00
NET OTHER SOURCES/(USES)	0.00		0.00	0.00	0.00	0.00	0.00
REVENUE & OTHER SOURCES OVER/ (UNDER) EXPENDITURES & OTHER (USES)	69,660.00	23,229.34	0.00	23,229.34	0.00	92,889.34	33.35-

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CITY OF VALLEY CENTER
 REVENUE & EXPENSE REPORT (UNAUDITED)
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410-BOND & INTEREST
 FINANCIAL SUMMARY

	CURRENT BUDGET	CURRENT PERIOD	PRIOR YEAR PO ADJUST.	Y-T-D ACTUAL	Y-T-D ENCUMBRANCE	BUDGET BALANCE	% OF BUDGET
<u>REVENUE SUMMARY</u>							
TAXES	389,490.00	257,517.69	0.00	257,517.69	0.00	131,972.31	66.12
USE OF MONEY & PROPERTY	13,000.00	0.00	0.00	0.00	0.00	13,000.00	0.00
OTHER REVENUES	907,400.00	410,563.23	0.00	410,563.23	0.00	496,836.77	45.25
MISCELLANEOUS	0.00	0.00	0.00	0.00	0.00	0.00	0.00
MISCELLANEOUS	0.00	0.00	0.00	0.00	0.00	0.00	0.00
MISC TRANSFERS	0.00	0.00	0.00	0.00	0.00	0.00	0.00
MISC TRANSFERS	0.00	0.00	0.00	0.00	0.00	0.00	0.00

TOTAL REVENUES	1,309,890.00	668,080.92	0.00	668,080.92	0.00	641,809.08	51.00
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EXPENDITURE SUMMARY

NON-DEPARTMENTAL

CONTRACTUAL SERVICES	0.00	0.00	0.00	0.00	0.00	0.00	0.00
COMMODITIES	0.00	0.00	0.00	0.00	0.00	0.00	0.00
CAPITAL OUTLAY	0.00	0.00	0.00	0.00	0.00	0.00	0.00
OTHER COSTS/MISC.	75,970.00	0.00	0.00	0.00	0.00	75,970.00	0.00
DEBT SERVICE	1,419,390.00	0.00	0.00	0.00	0.00	1,419,390.00	0.00
MISCELLANEOUS	0.00	0.00	0.00	0.00	0.00	0.00	0.00
TOTAL NON-DEPARTMENTAL	1,495,360.00	0.00	0.00	0.00	0.00	1,495,360.00	0.00

ADMINISTRATION

CAPITAL OUTLAY	0.00	0.00	0.00	0.00	0.00	0.00	0.00
OTHER COSTS/MISC.	0.00	0.00	0.00	0.00	0.00	0.00	0.00
DEBT SERVICE	0.00	0.00	0.00	0.00	0.00	0.00	0.00
MISCELLANEOUS	0.00	0.00	0.00	0.00	0.00	0.00	0.00
TOTAL ADMINISTRATION	0.00	0.00	0.00	0.00	0.00	0.00	0.00

TOTAL EXPENDITURES	1,495,360.00	0.00	0.00	0.00	0.00	1,495,360.00	0.00
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** REVENUE OVER (UNDER) EXPENDITURES *	(185,470.00)	668,080.92	0.00	668,080.92	0.00	(853,550.92)	360.21-
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OTHER FINANCING SOURCES	0.00	0.00	0.00	0.00	0.00	0.00	0.00
OTHER FINANCING (USES)	0.00	0.00	0.00	0.00	0.00	0.00	0.00
NET OTHER SOURCES/(USES)	0.00		0.00	0.00	0.00	0.00	0.00

REVENUE & OTHER SOURCES OVER/ (UNDER) EXPENDITURES & OTHER (USES)	(185,470.00)	668,080.92	0.00	668,080.92	0.00	(853,550.92)	360.21-
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610-WATER OPERATING
 FINANCIAL SUMMARY

	CURRENT BUDGET	CURRENT PERIOD	PRIOR YEAR PO ADJUST.	Y-T-D ACTUAL	Y-T-D ENCUMBRANCE	BUDGET BALANCE	% OF BUDGET
<u>REVENUE SUMMARY</u>							
TAXES	0.00	0.00	0.00	0.00	0.00	0.00	0.00
CHARGES FOR SERVICES	1,069,430.00 (	391.38)	0.00 (	391.38)	0.00	1,069,821.38	0.04-
USE OF MONEY & PROPERTY	3,435.00	0.00	0.00	0.00	0.00	3,435.00	0.00
OTHER REVENUES	0.00	0.00	0.00	0.00	0.00	0.00	0.00
MISCELLANEOUS	0.00	0.00	0.00	0.00	0.00	0.00	0.00
TOTAL REVENUES	1,072,865.00 (	391.38)	0.00 (	391.38)	0.00	1,073,256.38	0.04-
<u>EXPENDITURE SUMMARY</u>							
<u>NON-DEPARTMENTAL</u>							
PERSONNEL SERV. & BENEF.	277,320.00	28,922.58	0.00	28,922.58	0.00	248,397.42	10.43
CONTRACTUAL SERVICES	516,410.00	694.72	0.00	694.72	0.00	515,715.28	0.13
COMMODITIES	48,000.00	120.20	0.00	120.20	0.00	47,879.80	0.25
CAPITAL OUTLAY	84,135.00	0.00	0.00	0.00	0.00	84,135.00	0.00
OTHER COSTS/MISC.	296,270.00	0.00	0.00	0.00	0.00	296,270.00	0.00
DEBT SERVICE	0.00	0.00	0.00	0.00	0.00	0.00	0.00
MISCELLANEOUS	0.00	0.00	0.00	0.00	0.00	0.00	0.00
TOTAL NON-DEPARTMENTAL	1,222,135.00	29,737.50	0.00	29,737.50	0.00	1,192,397.50	2.43
<u>ADMINISTRATION</u>							
CAPITAL OUTLAY	0.00	0.00	0.00	0.00	0.00	0.00	0.00
OTHER COSTS/MISC.	0.00	0.00	0.00	0.00	0.00	0.00	0.00
DEBT SERVICE	0.00	0.00	0.00	0.00	0.00	0.00	0.00
MISCELLANEOUS	0.00	0.00	0.00	0.00	0.00	0.00	0.00
TOTAL ADMINISTRATION	0.00	0.00	0.00	0.00	0.00	0.00	0.00
TOTAL EXPENDITURES	1,222,135.00	29,737.50	0.00	29,737.50	0.00	1,192,397.50	2.43
** REVENUE OVER(UNDER) EXPENDITURES *(	149,270.00)(	30,128.88)	0.00 (	30,128.88)	0.00 (	119,141.12	20.18
OTHER FINANCING (USES)	0.00	0.00	0.00	0.00	0.00	0.00	0.00
NET OTHER SOURCES/(USES)	0.00		0.00	0.00	0.00	0.00	0.00
REVENUE & OTHER SOURCES OVER/ (UNDER) EXPENDITURES & OTHER (USES) (	149,270.00)(	30,128.88)	0.00 (	30,128.88)	0.00 (	119,141.12	20.18

2-04-2010 10:35 AM

CITY OF VALLEY CENTER
 REVENUE & EXPENSE REPORT (UNAUDITED)
 AS OF: JANUARY 31ST, 2010

PAGE: 1

612-STORMWATER UTILITY FUND
 FINANCIAL SUMMARY

	CURRENT BUDGET	CURRENT PERIOD	PRIOR YEAR PO ADJUST.	Y-T-D ACTUAL	Y-T-D ENCUMBRANCE	BUDGET BALANCE	% OF BUDGET
<u>REVENUE SUMMARY</u>							
USE OF MONEY & PROPERTY	0.00	0.00	0.00	0.00	0.00	0.00	0.00
OTHER REVENUES	63,880.00	10,840.00	0.00	10,840.00	0.00	53,040.00	16.97
MISCELLANEOUS	0.00	0.00	0.00	0.00	0.00	0.00	0.00
TOTAL REVENUES	63,880.00	10,840.00	0.00	10,840.00	0.00	53,040.00	16.97
<u>EXPENDITURE SUMMARY</u>							
<u>NON-DEPARTMENTAL</u>							
PERSONNEL SERV. & BENEF.	39,540.00	0.00	0.00	0.00	0.00	39,540.00	0.00
CONTRACTUAL SERVICES	1,060.00	0.00	0.00	0.00	0.00	1,060.00	0.00
COMMODITIES	11,000.00	0.00	0.00	0.00	0.00	11,000.00	0.00
CAPITAL OUTLAY	12,280.00	0.00	0.00	0.00	0.00	12,280.00	0.00
OTHER COSTS/MISC.	0.00	0.00	0.00	0.00	0.00	0.00	0.00
DEBT SERVICE	0.00	0.00	0.00	0.00	0.00	0.00	0.00
MISCELLANEOUS	0.00	0.00	0.00	0.00	0.00	0.00	0.00
TOTAL NON-DEPARTMENTAL	63,880.00	0.00	0.00	0.00	0.00	63,880.00	0.00
TOTAL EXPENDITURES	63,880.00	0.00	0.00	0.00	0.00	63,880.00	0.00
** REVENUE OVER(UNDER) EXPENDITURES **	0.00	10,840.00	0.00	10,840.00	0.00	(10,840.00)	0.00
OTHER FINANCING (USES)	0.00	0.00	0.00	0.00	0.00	0.00	0.00
NET OTHER SOURCES/(USES)	0.00		0.00	0.00	0.00	0.00	0.00
REVENUE & OTHER SOURCES OVER/ (UNDER) EXPENDITURES & OTHER (USES)	0.00	10,840.00	0.00	10,840.00	0.00	(10,840.00)	0.00

2-04-2010 10:35 AM

CITY OF VALLEY CENTER
 REVENUE & EXPENSE REPORT (UNAUDITED)
 AS OF: JANUARY 31ST, 2010

PAGE: 1

620-SEWER OPERATING
 FINANCIAL SUMMARY

	CURRENT BUDGET	CURRENT PERIOD	PRIOR YEAR PO ADJUST.	Y-T-D ACTUAL	Y-T-D ENCUMBRANCE	BUDGET BALANCE	% OF BUDGET
<u>REVENUE SUMMARY</u>							
TAXES	0.00	0.00	0.00	0.00	0.00	0.00	0.00
CHARGES FOR SERVICES	732,150.00	58,681.00	0.00	58,681.00	0.00	673,469.00	8.01
USE OF MONEY & PROPERTY	2,278.00	0.00	0.00	0.00	0.00	2,278.00	0.00
OTHER REVENUES	6,000.00	0.00	0.00	0.00	0.00	6,000.00	0.00
MISCELLANEOUS	0.00	0.00	0.00	0.00	0.00	0.00	0.00
TOTAL REVENUES	740,428.00	58,681.00	0.00	58,681.00	0.00	681,747.00	7.93
<u>EXPENDITURE SUMMARY</u>							
<u>NON-DEPARTMENTAL</u>							
PERSONNEL SERV. & BENEF.	213,009.00	14,324.44	0.00	14,324.44	0.00	198,684.56	6.72
CONTRACTUAL SERVICES	292,960.00	163.80	0.00	163.80	1,500.00	291,296.20	0.57
COMMODITIES	27,500.00	0.00	0.00	0.00	0.00	27,500.00	0.00
CAPITAL OUTLAY	32,239.00	0.00	0.00	0.00	0.00	32,239.00	0.00
OTHER COSTS/MISC.	602,690.00	0.00	0.00	0.00	0.00	602,690.00	0.00
DEBT SERVICE	0.00	0.00	0.00	0.00	0.00	0.00	0.00
MISCELLANEOUS	0.00	0.00	0.00	0.00	0.00	0.00	0.00
TOTAL NON-DEPARTMENTAL	1,168,398.00	14,488.24	0.00	14,488.24	1,500.00	1,152,409.76	1.37
<u>ADMINISTRATION</u>							
CAPITAL OUTLAY	0.00	0.00	0.00	0.00	0.00	0.00	0.00
OTHER COSTS/MISC.	0.00	0.00	0.00	0.00	0.00	0.00	0.00
DEBT SERVICE	0.00	0.00	0.00	0.00	0.00	0.00	0.00
MISCELLANEOUS	0.00	0.00	0.00	0.00	0.00	0.00	0.00
TOTAL ADMINISTRATION	0.00	0.00	0.00	0.00	0.00	0.00	0.00
TOTAL EXPENDITURES	1,168,398.00	14,488.24	0.00	14,488.24	1,500.00	1,152,409.76	1.37
** REVENUE OVER(UNDER) EXPENDITURES *(	427,970.00)	44,192.76	0.00	44,192.76	(1,500.00)	(470,662.76	9.98-
OTHER FINANCING (USES)	0.00	0.00	0.00	0.00	0.00	0.00	0.00
NET OTHER SOURCES/(USES)	0.00		0.00	0.00	0.00	0.00	0.00
REVENUE & OTHER SOURCES OVER/							
(UNDER) EXPENDITURES & OTHER (USES) (	427,970.00)	44,192.76	0.00	44,192.76	(1,500.00)	(470,662.76	9.98-

CONSENT AGENDA

B. FIRE PROTECTION AGREEMENTS:

Between the City of Valley Center and the following townships

- Grant Township
- Park Township
- Valley Center Township

CONTRACT FOR FIRE PROTECTION

THIS AGREEMENT made this 1st day of January, 2010 by and between the City of Valley Center, Kansas a duly incorporated city of the second class, located in Sedgwick County, Kansas, hereinafter referred to as the City and GRANT Township, a Kansas Municipality, hereinafter referred to as the Township.

WITNESSETH:

WHEREAS, the Township is desirous of continuing fire protection for property and persons located and residing within the limits of said Township; and

WHEREAS, the City is willing to provide fire protection to said Township, subject to the conditions set forth hereinafter,

THEREFORE, the aforementioned parties do hereby contract, covenant and agree as follows to wit:

1. The City agrees to furnish fire protection for property in GRANT Township, for a period of (One) 1 year from and after the date of this agreement.

2. The City's Fire Department will respond to fire alarms and calls within the established boundaries of the Township, subject to the following conditions, to wit:

a. The City is expressly exempted from any liability, of any nature, for the failure of its Fire Department to respond to a fire alarm or call, or the manner in which said Fire Department responds, including, but not limited to, the extinguishing or failure to extinguish any fire, and any damage done to any property as a result thereof.

b. The City Fire Department will make all reasonable efforts, subject to road and inclement weather conditions to promptly and sufficiently respond to any fire alarm or call.

c. The City Fire Chief, and/or his designated agent shall at all times have the exclusive right and discretion to determine the amounts and types of equipment, or call to which the City Fire Department may respond hereunder.

3. In consideration of the City providing the fire protection on the terms set forth above, the Township does hereby agree to pay the City the following amount of money at the time indicated to pay.

January 31, 2010.....\$1,000.00

PAGE 2

4. The responsibilities of the City hereunder shall be subject to its responsibilities under any agreements for mutual aid entered, at any time, between the City and Sedgwick County.

5. This agreement may be cancelled by either party hereto upon ninety (90) days written notice to the other party.

IN WITNESS WHEREOF the Parties hereto have executed this agreement according to law the day and year first above written.

CITY OF VALLEY CENTER, KANSAS

BY _____
MAYOR

Attest:

Kristine A. Polian, City Clerk

GRANT TOWNSHIP,
SEDGWICK COUNTY, KANSAS

Randy A. Mark
TRUSTEE

Diane M. Coe
TREASURER

Jenny
CLERK

TOWNSHIP BOARD

CONTRACT FOR FIRE PROTECTION

THIS AGREEMENT made this 1st day of January, 2010 by and between the City of Valley Center, Kansas a duly incorporated city of the second class, located in Sedgwick County, Kansas, hereinafter referred to as the City and PARK Township, a Kansas Municipality, hereinafter referred to as the Township.

WITNESSETH:

WHEREAS, the Township is desirous of continuing fire protection for property and persons located and residing within the limits of said Township; and

WHEREAS, the City is willing to provide fire protection to said Township, subject to the conditions set forth hereinafter,

THEREFORE, the aforementioned parties do hereby contract, covenant and agree as follows to wit:

1. The City agrees to furnish fire protection for property in PARK Township, for a period of (One) 1 year from and after the date of this agreement.

2. The City's Fire Department will respond to fire alarms and calls within the established boundaries of the Township, subject to the following conditions, to wit:

a. The City is expressly exempted from any liability, of any nature, for the failure of its Fire Department to respond to a fire alarm or call, or the manner in which said Fire Department responds, including, but not limited to, the extinguishing or failure to extinguish any fire, and any damage done to any property as a result thereof.

b. The City Fire Department will make all reasonable efforts, subject to road and inclement weather conditions to promptly and sufficiently respond to any fire alarm or call.

c. The City Fire Chief, and/or his designated agent shall at all times have the exclusive right and discretion to determine the amounts and types of equipment, or call to which the City Fire Department may respond hereunder.

3. In consideration of the City providing the fire protection on the terms set forth above, the Township does hereby agree to pay the City the following amount of money at the time indicated to pay.

January 31, 2010.....\$1,000.00

PAGE 2

4. The responsibilities of the City hereunder shall be subject to its responsibilities under any agreements for mutual aid entered, at any time, between the City and Sedgwick County.

5. This agreement may be cancelled by either party hereto upon ninety (90) days written notice to the other party.

IN WITNESS WHEREOF the Parties hereto have executed this agreement according to law the day and year first above written.

CITY OF VALLEY CENTER, KANSAS

BY _____
MAYOR

Attest:

Kristine A. Polian, City Clerk

_____ PARK TOWNSHIP,
SEDGWICK COUNTY, KANSAS

TRUSTEE

TREASURER

CLERK

TOWNSHIP BOARD

CONTRACT FOR FIRE PROTECTION

THIS AGREEMENT made this 1st day of January, 2010 by and between the City of Valley Center, Kansas a duly incorporated city of the second class, located in Sedgwick County, Kansas, hereinafter referred to as the City and VALLEY CENTER Township, a Kansas Municipality, hereinafter referred to as the Township.

WITNESSETH:

WHEREAS, the Township is desirous of continuing fire protection for property and persons located and residing within the limits of said Township; and

WHEREAS, the City is willing to provide fire protection to said Township, subject to the conditions set forth hereinafter,

THEREFORE, the aforementioned parties do hereby contract, covenant and agree as follows to wit:

1. The City agrees to furnish fire protection for property in VALLEY CENTER Township, for a period of (One) 1 year from and after the date of this agreement.

2. The City's Fire Department will respond to fire alarms and calls within the established boundaries of the Township, subject to the following conditions, to wit:

a. The City is expressly exempted from any liability, of any nature, for the failure of its Fire Department to respond to a fire alarm or call, or the manner in which said Fire Department responds, including, but not limited to, the extinguishing or failure to extinguish any fire, and any damage done to any property as a result thereof.

b. The City Fire Department will make all reasonable efforts, subject to road and inclement weather conditions to promptly and sufficiently respond to any fire alarm or call.

c. The City Fire Chief, and/or his designated agent shall at all times have the exclusive right and discretion to determine the amounts and types of equipment, or call to which the City Fire Department may respond hereunder.

3. In consideration of the City providing the fire protection on the terms set forth above, the Township does hereby agree to pay the City the following amount of money at the time indicated to pay.

January 31, 2010.....\$1,000.00

PAGE 2

4. The responsibilities of the City hereunder shall be subject to its responsibilities under any agreements for mutual aid entered, at any time, between the City and Sedgwick County.

5. This agreement may be cancelled by either party hereto upon ninety (90) days written notice to the other party.

IN WITNESS WHEREOF the Parties hereto have executed this agreement according to law the day and year first above written.

CITY OF VALLEY CENTER, KANSAS

BY _____
MAYOR

Attest:

Kristine A. Polian, City Clerk

VALLEY CENTER TOWNSHIP,
SEDGWICK COUNTY, KANSAS

Mike Neal
TRUSTEE

D. Keith Jacob
TREASURER

Bird Smith
CLERK

TOWNSHIP BOARD

CONSENT AGENDA

C. REPORT of ANIMAL SHELTER USAGE:

- Wag'en Tail Ranch Report

Shelter Report for City of Valley Center

February 4, 2010

During the month of December, five stray dogs were taken to the Wag'en Tail Ranch. Four of the dogs were released to their owners. One dog was sent to the Wichita Animal Shelter for rabies observation.

In the month of January, five stray dogs were taken to the Wag'en Tail Ranch four of the dogs were reclaimed by the owners; one has not been claimed and is up for adoption.

There has only been one problem that developed early in the month of December. An owner wanted to reclaim his dog, the Valley Center dispatch was not staffed, their phones had been turned over to the Sedgwick County 911; this caused some difficulty and a misunderstanding for the citizen. Stacy Miles contacted me at home to inform me of the problem and to ask for some direction, it was decided that the dog should be released to owner, the paper work would be done the following Monday.

The transition has gone exceptionally well; the staff at the Wag'en Tail Ranch is very progressive, professional and compassionate.

Officer Plant

STAFF REPORTS

A. City Clerk Polian

B. Chief of Police Hephner

- Police Department January 2010 Report
- Municipal Court January 2010 Report

C. Fire Chief Tormey

- January 2010 Activity Report

D. Community Development Officer Miller

- Compliance Officer January 2010 Report

E. City Superintendent Dunn

F. Parks & Public Buildings Superintendent Owings

G. City Engineer Kelsey

- Project Status Report

H. City Attorney Arbuckle

I. City Administrator Pile

Officer's Report

February 10, 2010

Chief Mark V. Hephner #1

Attention: Joel Pile
City Administrator
Valley Center Kansas

Subject: Valley Center Police January Monthly Report

The Police Department answered 243 calls for service during January 2010. Of those calls, 55 generated police cases. Emergency Communications/Records recorded 40 Fire Department calls for service, 123 records dissemination requests, 1251 telephone calls and 154 citizen contacts. The following is a break down of the police department cases:

Calls for Service: Three 911 hang ups; sixteen alarm calls; six animal calls; two assault call; nine assist citizen calls; thirteen assist EMS calls; eight assist fire; thirty-two assist other agency calls; two auto theft reports; one battery case; two burglary reports; five criminal damage to property cases; two business/residence calls; twelve check the welfare calls; one child abuse case; one club check; one criminal use of a credit card case; two threat cases; eight disturbance/domestic calls; four driving complaints; two drug law violations; five DUI cases; five DV battery cases; four found property cases; two fraud case; two funeral escorts; seven harassment/phone call complaints; one identity theft case; two loud music complaints; zero injury accidents; one lost juvenile call; one loud noise call, nineteen misc reports; six non-injury accident reports; seven parking complaints; one shoplifting case; fifteen suspicious activity/persons/vehicle calls; four theft reports; four traffic hazard calls; two truant reports; and one weapons violation case. Officers wrote forty-two citations with forty-nine violations during the month.

During the month of January, Sedgwick County Emergency 911 Dispatch covered for the City of Valley Center 152 hours.

The chief attended a Joint conference on training in Hutch on 1-8. (KPOA/KACP) The chief attended the area Chief's Meeting in Derby on January 13. The chief attended the monthly chamber meeting on January 19. The chief met with Mr. White of USD 262 regarding the traffic problems at West Elementary on January 28.

During the month, Detective Sergeant Lloyd Newman II completed the monthly fuel report. He presented several cases to the City Attorney. He along with Sgt Vogt supervised Municipal Court sessions during the month. He has represented the police department on the city policy committee meeting in January. He assisted the Andover Police Department with a sex abuse case.

Detective Grayson wrote three affidavits, interviewed four suspects and several witnesses. He and Officer Clifton presented four cases to the DA's Office.

SRO Activities-370 student contacts, 32 parent contacts, 2 tobacco arrests, 4 school functions, 5 problem solving contacts, 130 school staff contacts, 3 police cases-1 assault report, 1 disorderly conduct case, and 1 criminal use of weapon case.

Training: Chief Hephner had a one hour on-line training for IACP-Net on January 22. Chief Hephner, Sgt's Newman & Vogt, Detective Grayson, Officer Clifton and Officer Schrag attended Biased Based Policing Training in Andover on January 27. Officer Easley attended a two day grant writing class on January 30-31 in Valley Center.

Community Outreach Programs Presented: The chief, Sgt Newman and Detective Grayson assisted with Pioneer Days at the Middle School on January 25. Officer Clifton presented training to the Explorer's on January 14.

Response Times Average:

Priority calls-5 minutes

Non-priority calls (Report calls)-18 minutes

Miscellaneous items: Chief Hephner is currently evaluating applicants for the open dispatcher position.

Chief Mark Hephner
Valley Center Police Chief
February 10, 2010

January 13, 2010

182 TOTAL CASES

22 CASES WITH NO STATUS CHG.
 2 REVIEW HEARING TO NEW DATE
 5 REVIEW HEARING
 27 CONTINUED TO NEW DATE
 20 CONTINUED
 3 TRIAL TO NEW DATE
 7 TRIAL
 28 FINALIZED - FOUND GUILTY
 6 DECEASED DEFENDANT
 8 PAYMENT PLAN
 3 DISMISSED WITHOUT COST
 7 DISMISSED/JUDGE ORDERED
 15 DISMISSED WITHOUT PREJUDICE
 5 DISMISSED/PRESENTED INSURANCE
 5 EXTENSION OF TIME TO PAY
 1 WARRANT ISSUED
 5 INITIAL APPEARANCE TO NEW DATE
 1 VOIDED DOCKET
 4 DIVERSION
 3 SENTENCING TO NEW DATE
 5 SENTENCING

January 27, 2010

111 TOTAL CASES

15 CASES WITH NO STATUS CHG.
 13 FINALIZED - FOUND GUILTY
 7 TRIAL TO NEW DATE
 1 TRIAL
 26 CONTINUED TO NEW DATE
 11 CONTINUED
 2 COMMUNITY SERVICE ORDERED
 4 WARRANT ISSUED
 7 DISMISSED/PRESENTED INSURANCE
 10 INITIAL APPEARANCE TO NEW DATE
 1 NOTICE OF SUSPENSION SENT
 5 PAYMENT PLAN
 2 DISMISSED WITHOUT COST
 4 EXTENSION OF TIME TO PAY
 1 DISMISSED WITHOUT PREJUDICE
 1 REVIEW HEARING
 1 SENTENCING

2010 Activity Report

The Fire Department responded to 39 calls for service in January; these are broken down as follows.

<u>Calls For Service</u>	<u>City</u>	<u>Townships</u>
Chimney or Flue Fire, Confined to Chimney or Flue	1	0
Passenger Vehicle Fire	1	0
Motor Vehicle Accident With Injuries	1	0
Ice Rescue	1	0
Medical Assist, Assist EMS Crew	10	0
Search For Lost Person, Other	1	0
Lock Out	1	0
Gas Leak (Natural Gas or LPG)	0	2
System Alarm Malfunction, Other	1	0
Water Problem, Other	6	0
Good Intent Call, Other	2	1
Dispatched & Cancelled En Route	4	3
Burn Permit	4	0

15 Firefighters Attended Training in Valley Center
Training Consisted of AED, LAERDAL Suction Device, Blood Pressure Cuff, Patient Information, and Medical Bag Equipment Refresher Training (January 12th 2010).

2 Firefighters Received Certificates for Completion of HAZMAT OPS Class (January 25th 2010).

6 Firefighters Received Certificates for Completion of Firefighter II Class (January 25th 2010).

18 Firefighters Attended Training in Valley Center
Training Consisted of an SCBA Fit Test, MAY DAY Procedures for a Trapped or Lost and Missing Firefighter, and Basic Ice Rescue Procedures (January 25th 2010).

2 Firefighters Attended Grant Writing Class at City Hall (January 30th and 31st 2010).

CHIEF TORMEY

*Code Enforcement January 2010
Officer Cindy Plant*

- *I responded to fifty three calls for service for the month of January.*
- *Eleven complaints were filed for dogs running loose.*
- *Five animals were impounded.*
- *Owners reclaimed four dogs.*
- *One dog is being held for adopted.*
- *All five dogs were housed at the Wag'en Tail Ranch.*
- *One barking dog complaint was addressed.*
- *I disposed of ten dead animals.*
- *One dog was released from a home quarantine concerning a dog bite.*
- *Seven cruelty complaints was filed and addressed.*
- *Three dangerous structure complaints were addressed.*
- *Miscellaneous complaints were received and addressed.*
- *I spoke with several dog owners regarding their dogs running loose, rabies shots and City licenses.*
- *Spoke with a landlord concerning an eviction and animals left inside the home.*
- *Sixty eight dog licenses renewal letters were sent to dog owners.*
- *Nine letters were sent to homeowners for trash and debris in their yards.*
- *One minimum housing complaint was addressed.*
- *Dog licenses were delivered to Valley Center Vet Clinic.*
- *Four inoperable complaints were addressed.*
- *Legal papers were served.*

DATE: February 11, 2010
Professional **E**ngineering **C**onsultants, P.A.

303 S. TOPEKA ■ WICHITA, KANSAS 67202 ■ 316-262-2691 ■ FAX 316-262-3003 ■ www.pec1.com ■ designers@pec1.com

MEMO

TO: City of Valley CenterFROM: Michael D. Kelsey, P.E.PROJECT NO.: 35-89355-2502PROJECT: Valley Center City Engineer

ATTENTION: _____

COPIES TO: Joel Pile-City Administrator,REFERENCE: Project Status UpdateRichard Dunn-City Supt, Kristine Polian-City Clerk,BMM

PLEASE ADVISE IMMEDIATELY OF ANY MISCONCEPTIONS OR OMISSIONS YOU BELIEVE TO BE CONTAINED HEREIN.

Shown below is a list of projects that PEC is working on along with the project status.

Ford Street Bridge: The project has bid through KDOT, with the project awarded to King Construction. It is anticipated that construction activities will commence in March.

Prairie Lakes-Phase 4 Grading: Most of the berm work is completed, and we are currently held up with permits for completion of the project with the Corp of Engineers and the Division of Water Resources. The agencies have requested additional hydraulic modeling information on the creek. R&B is in the process of verifying the modeling from the engineer that is working on the existing levee certification for the City of Wichita/Sedgwick County. R&B submitted the preliminary hydraulic report on 2/9/10, and we have reviewed and plan to meet to provide comments with them on 2/11/10.

Unruh Excavating-contractor

6th and Meridian Lift Station Replacement: We have completed field surveys for the project, and are currently proceeding with the design of the improvements. Plans are currently being reviewed, and are anticipating bidding this project in March or April. We need to evaluate pre-purchasing the pumps, and are planning to have this under construction this summer.

Sanitary Sewer Rehabilitation: We are in the process of verifying all locations to be corrected, and have requested field surveys. We have also requested additional television inspection on some of the sewer lines that are in question.

5th to 6th Street SWS: We met with Public works to review the proposed locations of the inlets for the project. We have completed plans, and are anticipating bidding the project in March/April for summer construction.

Library Site Evaluation: We have completed the site evaluation study, and have attended the meeting with the library board to discuss results. We are awaiting any additional input that the council or library board would like regarding this. We have provided a map to the architect for review of the layout of the library on one of the proposed sites.

Meadow Road Sidewalk: Field surveys have been completed, and we are working on the final design of the project. We have met with the school superintendent to discuss potential improvements at the Wheatland Elementary site prior to proceeding forward with the project. We will plan to bid the project in the spring for summer construction (while school is out for the summer).

Ford Street PUD: We have requested field surveys for the property, and have requested and received information from the title company. We have also requested the record utility information for the property, and are researching easements on the property.

Valley Creek 2nd Paving and Water line: We have completed the plans for this project, and plan to receive bids on this project on February 24 for council consideration at the March 2nd council meeting.

5th Street Bridge: City council approved design contracts for this project on 1/19/10. We are commencing with the design of the project.

Other Items:

- Bids were received on February 3rd for the High School Sanitary Sewer project. The preconstruction conference is scheduled with Mies Construction for February 17th.
- Utilities Plus has completed installation of the 12" water line project to the high school. The Contractor will need to complete cleanup activities at the site as weather allows.
- Have prepared cost estimates, petitions, and benefit area maps for a potential sanitary sewer extension project in the Industrial Park. We have submitted a contract for the engineering services for the project.
- Attended the site plan review meeting and a plat review meeting and provided comments on the Ash Street 4-plex, Kwik Shop, Schnitzler Farms, and Hampel 2nd Addition.
- Provided an aerial map for the Chamber of Commerce.
- Attended a meeting with the water/sewer rate study consultant.
- Met with the school Superintendent to discuss potential options on traffic flows at West Elementary School.
- Reviewed parking along Fieldstone, and have prepared a map and summary for consideration by City Council.
- Currently reviewing the City water map for potential updates.
- Reviewed the drainage plan and plat for the Valley Center Recreation Commission PUD.
- Reviewed the Dingman Addition sketch plat.
- Prepared cost estimates for the Seneca Street Bridge replacement and the Ford Street storm water pond/paving improvements for potential submission for future funding.
- Reviewed legal descriptions for access easement to a proposed Verizon Wireless Tower near Leekers, and provided comments to the Engineer.

GOVERNING BODY REPORTS

A. Mayor McNown

B. Councilmember K. Jackson

C. Councilmember Maschino

D. Councilmember Nordstedt

E. Councilmember Campbell

F. Councilmember Cicirello

G. Councilmember Gerling

H. Councilmember Hobson

I. Councilmember L. Jackson

ADJOURN